

IN THE HIGH COURT OF TANZANIA

(MWANZA REGISTRY)

AT GEITA

CRIMINAL SESSIONS CASE NO. 70 OF 2021

THE REPUBLICPROSECUTOR

VERSUS

MASANJA S/O THOMAS.....1ST ACCUSED

HAMIDU S/O RAMADHANI.....2ND ACCUSED

SENTENCE

The accused persons stood charged with the offence of manslaughter contrary to section 195 and 198 of the Penal Code, cap 16 R.E 2019, and they have pleaded guilty to the offence and so they have been convicted on their own plea.

It is a principle of law that in sentencing the accused persons the court may have to take into consideration various factors including but not limited to the accused's plea, previous criminal records, the age of the accused, its health status as well as the circumstances in which the offence was committed.

In our case at hand, both offenders had no previous criminal records, they have been in custody for one year and four months, the nature of the death of the deceased being a result of fighting, the accused persons deserve leniency.

Thus, much as what the accused persons did was irresponsible act and inhuman, I believe that by pleading guilty and the time they have spent in custody they are remorseful and they have learnt a lesson.

Consequently, I hereby sentence each of the accused person to three years imprisonment. It is so ordered.


Sgd. M. Mnyukwa
Judge
23/11/2021

Right of appeal against sentence explained and guaranteed.




Sgd. M. Mnyukwa
Judge
23/11/2021