

**THE UNITED REPUBLIC OF TANZANIA  
JUDICIARY**

**IN THE HIGH COURT OF TANZANIA**

**MISC. CRIMINAL APPLICATION NO. 14 OF 2022**

***(Originating from the Resident Magistrate's Court of Mbeya at  
Mbeya, Criminal Case No. 164/2018)***

**EMMANUEL MWAWA ..... APPLICANT**

**VERSUS**

**THE REPUBLIC ..... RESPONDENT**

**RULING**

Date of ruling: 16/05/2022

**NGUNYALE, J.**

The applicant Emmanuel Mwawa is before the Court under section 36(2) of Criminal Procedure Act, Cap 20 R.E 2019 seeking this court to be pleased to grant extension of time for him to file Notice of Appeal and appeal out of time against criminal case No. 164 of 2018.

He supported his application by an affidavit as sworn on 17<sup>th</sup> September, 2021. In the affidavit he depend a reason.

He supported his application by an affidavit as sworn on 17<sup>th</sup> September, 2021. In the affidavit he deponed a reason for delay that the trial court

delayed to avail him copies of judgment and proceedings and later he was transferred to Msalato prison Dodoma. He prayed the court to allow his application.

Ms. Rhoda Ngole Senior State attorney for the respondent supported the application that the applicant has good cause, the court may grant the application.

Having read through the affidavit of the applicant and the fact that the respondent is not objecting the application I think the applicant has demonstrate good cause. The application is hereby granted, he is given 14 days from today to file Notice of appeal and 45 days from today to file his petition of appeal for the intended appeal. Order accordingly.



  
**D.P. Ngunyale**  
**Judge**  
**16/05/2022**

Ruling delivered this 16<sup>th</sup> day of May, 2022 in presence of the applicant in person and the respondent represented by Ms. Rhoda Ngole Senior State attorney.

  
**D.P. Ngunyale**  
**Judge**  
**16/05/2022**