

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

IN THE SUB-REGISTRY OF MWANZA

ORIGINAL JURISDICTION

AT MWANZA

CRIMINAL SESSION CASE NO. 15 OF 2022

THE REPUBLIC

VERSUS

LEONARD S/O ELIKANA

ORDER/SENTENCE

29th June, 2022

DYANSOBERA, J.:

In awarding the accused a proper sentence I have taken into account both the accused's antecedents and the mitigation. It has been stated that the accused has no record of previous convictions, that means he is a first offender.

The accused has pleaded guilty to the offence and this has automatically save both time and expenses. He has all along been cooperative and this is a manifestation of his being contrite to the offence.

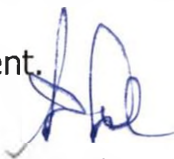
The accused has four children who depend on him and has stayed in prison as a remand prisoner for over two ears which means that he had something to learn.

According to section 198 of the Penal Code, a person charged with manslaughter is liable to imprisonment for life.

Taking into account the objectives set out in the law and the sentencing guidelines I am mindful of the fact that the sentence must not only fit the crime but also the offender as well and therefore this court has to dispense proportionate and a fair sentence according to the circumstances of the case.

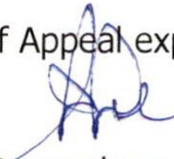
The accused unlawfully took away the life of his beloved wife. The exhibit P1 speaks louder that the accused's act was, to say, the least brutal. The accused had to keep in mind the fate of the innocent children they begot with the deceased and had therefore, every opportunity to avert unlawfully killing his wife.

For the reasons I have endeavored to state, I sentence the accused to ten (10) years term of imprisonment.


W.P. Dyansobera
Judge
29/06/2022

Rights of Appeal to the Court of Appeal explained.




W.P. Dyansobera
Judge