

IN THE HIGH COURT OF TANZANIA

(MTWARA DISTRICT REGISTRY)

AT MASASI

ORIGINAL JURISDICTION

CRIMINAL SESSION CASE NO. 40 OF 2022

REPUBLIC

VERSUS

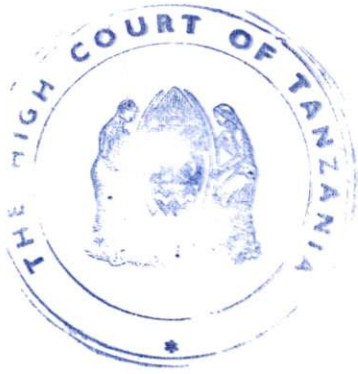
SAMWELI DADI MMADEA.....ACCUSED

RULING ON SENTENCE

Z. G. Muruke, J

According to the records, accused person a first offender was ambushed by deceased, upon asking him about his touch. He was over powered by deceased, as his hands are not in proper order. He has difficulties in the manner he handles anything with his hand as shown in court. It was out of self defence he managed to hold panga that was nearby and cut deceased on his neck. The act of deceased following accused and starting fight, he is, in away an author of his own death. Nevertheless, accused exercised excessive force by use of machete (panga) that caused death of deceased. Accused admitted the offence at the police, before Justice of peace and here in court. He deserves mercy of this court. I thus sentence accused to conditional discharge twelve (12) months. Ordered accordingly.





A handwritten signature in blue ink, appearing to read "Z. G. Muruke".

Z. G. Muruke

Judge

03/10/2022

Ruling delivered in the presence of Nancy Mushumbusi and Meshack Lyabonga State Attorney, for the prosecution and Steven Lekey counsel for the accused.



A handwritten signature in blue ink, appearing to read "Z. G. Muruke".

Z. G. Muruke

Judge

03/10/2022