

**THE UNITED REPUBLIC OF TANZANIA
JUDICIARY
IN THE HIGH COURT OF TANZANIA
MTWARA DISTRICT REGISTRY
AT RUANGWA
CRIMINAL SESSION NO 27 OF 2020**

**THE REPUBLIC
VERSUS
JUMA MOHAMED MTONDO @ BLOCK**

21/3/2022

LALTAIKA, J.

RULING ON SENTENCE

The accused person **JUMA MOHAMED MTONDO @ BLOCK** has just been convicted by this court of the charge of manslaughter on his own plea of guilty. He was working as a village militia "Mgambo" when, on the fateful day, he was called upon to deal with the deceased who was, allegedly, causing trouble. His intervention to bring about peace led to the death of the deceased.

I have taken into consideration the presentation of both the republic and the defence counsels. Before pronouncing my verdict, I have the following to say.

There is no doubt that he had no intention to kill. The deceased was a normal customer who happened to go to the local bar “club” where the accused happened to be at the material time. There is also no doubt that the accused was not the only one who dealt with the deceased. He was assisted by someone else who is not in this court.

The learned counsel for the republic says the accused person had used excessive force. I agree. Drugging off a drunk person is a dangerous thing to do. It is also important to know that men and women in uniform need to be especially careful in use of their force. Village militia and men in uniform throughout our country should treat suspects humanely. Had the accused person been just a little bit more humane, he would not have come to this troublesome situation.

To this end I convict you **JUMA MOHAMED MTONDO @ BLOCK** to **ONE** (1) year jail term.

The right to appeal fully explained.



A handwritten signature in blue ink, which appears to read "E.I. Laltaika".

E.I. LALTAIKA

JUDGE

21/3/2022