

**THE UNITED REPUBLIC OF TANZANIA**

**JUDICIARY**

**IN THE HIGH COURT OF TANZANIA**

**(MTWARA DISTRICT REGISTRY)**

**AT RUANGWA**

**ORIGINAL JURISDICTION**

**CRIMINAL SESSION NO 28 OF 2021**

**REPUBLIC**

**VERSUS**

**SAIDI HAMAD MANGWINDA**

**RULING ON SENTENCE**

*16/3/2022*

**LALTAIKA, J.**

The accused person before me one **SAIDI HAMAD MANGWINDA** has caused death of an innocent person over a fight that started in a drinking spree of local pombe known as Wanzuki. He took a *shoka*, (an axe) severely attacked his fellow friend and, in what I can interpret as hardheartedness, he left the deceased in pain, heavily bleeding and groaning for help. I can imagine a very gruesome situation.

The deceased was a father, a brother and above all a son to his mother just like the accused who wants to go back to his elderly mother to take care of her. The deceased was a Tanzanian that contributed in the building of this nation. He was a human being whose life deserved

protection as per the constitutional right that the counsel for the republic has mentioned. It cannot be overemphasized that life is priceless. There is nothing that this court can do to bring back the life carelessly lost by the accused. However, pursuant to the law currently in force in our jurisdiction, this sentence is meant to provide for a lesson not only to the accused person but also other people out there who fail to control the outcomes of their habits when they are drunk.

I have considered the mitigation that the accused is not only a first offender but also a remorseful person. However, the fact that the fight originated from drinking alcohol to me is a cause for concern. Even if he regrets having caused death of an innocent person, this remorsefulness must be translated into action. At no time should drinking alcohol be a source of fights and loss of lives.

All said and done, I sentence you **SAIDI HAMAD MANGWINDA** to a **FIVE (5) years** term of imprisonment.

Right to appeal to the Court of Appeal of Tanzania dully explained



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

**E.I. LALTAIKA**  
**JUDGE**  
**16/3/2022**