

TANZANIA / JUDGMENT

## 19710513 TZCA Dar es Salaam

COURT  
TZCADECIDED  
13 May 1971

Source: media.tanzlil.org · Research copy typeset by Esheria. Not court-issued or certified.

IN J'Th KIGR COtIRT OF TANZIJA AX DAR 33 SAUAI Criminal Appeal io.189 of 1971 (Criinai Cririral (Jase To. 388 of 1971 of the Diøtriot Court of Dar es Salaam istriot at L'ar as Salaam Before J. 1, }wzlu.anys, seq., Resident Msistrat..) r' r A. iri- J " 'Versus TRII RPtJBLIC •.....S.....,..... 1WSlOrDWNT JUD1NP FAT I AG. . - The appellant was convict<sup>94</sup> on his own plea of assault and sentenced to nine ontha' imprisonment# 110 has appealsi aainst the soutenos and asked for lenercy on the rround.s that the long stay in prison will not reform his cbaracterbv.t make it worse. Utfortunately the origina1 record. of the trial case ould not be traced at the trial covil, and I have before me only copies Z of poceedinga but the vital document is missing, that is the Police Form 3 which gives the istails of the injuries received by the complainant, rr. t3arros for the appeflant subMttect that the sentence is unnecessarily harsh, in view of the fact that the accused is a first oferiier, a ;lounman and he had provoostion offered, by the complainant. H. submitted that the proper sentence to be awarded under the oirouastsncoS woild have been binding over the apellani, or cUacharing senditionally, or puttinr; him on probation or awarding compensation to the omplainant. The Isarnod counsel for the appellant tendered several authorities to substantiate his submissions. ITowever, oing through the facts of the case it is abun<sup>4</sup>antly clear that it is the appellant she provoked the o,tp1ainant when he ient to the house of the soaplainant on the day in question, sn<sup>4</sup> at the complainant's Own jjousa the appeliaM heat hii thon ho was inorely a 3ueste 3oneidaring all the facts in mind I feel that the trial magistrate was right in Meu t6n cing the appctlsrit to a term of inprinsonmentp but the tar of imprisonment for nine months is rather harsh and I reduce it to tour innth3l' Jmp:rieonnont. De11v,ro in ourt at )ar os 'alaan this 13th day of "ay, 1971. (. D. IA!V1L) &rT. TTC1

## Source &amp; reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE [https://media.tanzlil.org/media/judgment/335804/source\\_file/894dca616fb23a22/19710513\\_TZCA\\_Dar\\_es\\_Salaam.pdf](https://media.tanzlil.org/media/judgment/335804/source_file/894dca616fb23a22/19710513_TZCA_Dar_es_Salaam.pdf)

CASE PAGE <https://chat.esheria.ai/case-law/tanzania/a-irin-v-the-republic-sentencing-tzca-1971>

Prepared on 24 October 2026 · Esheria