

TANZANIA / JUDGMENT

19710717 TZHC Arusha

COURT
TZHCDECIDED
17 July 1971

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- j - - 19 THEU COJRT '1A AT ti 111iLiJi AMMGMT101T GfIJIU14 arPEAI NO. 10 OF 1971
O1IGT1IJL ORIJ111-1 CAISS 10 540 OF 1970 0i 71M M`OTRICT C01MLT cr nci AT 3ei'ore
R.11% Ka-imotoi Eq., Reidnt Vag ictrat* o 1J\$x PW 'U13LXC. *
- cg bi, Agen't Cottrry to s ection 273 (b) Of the Pe1 Cocl*. The ppe1a1ti uns convioted on 17
oounti or tealing by Agent Oonrar7 t rotion 273 (Tb) or the Renal Code. 'rid war. an
ingarence agert and ever a period from 29th jah o ury, 1968 to 8optembcr t 1970 he o1,ieote
mote,y fron patiple an firt preniuns for Innuranco poiloie. He did bot pay these munivto kie
pricipL K. &de an taneorn i7tatemant in hiC de'eoc and admittedat he did buninest in t ea.
He did not give any explznation aro to wb e did not remit th money oicota. On 4& ha evid-
ence adduced the oort had no eltorint1ve hut to convot the appellant :ou the ievara1 ohre.
The ppe& wa rni 4tttd lei in the groin?i th tb nteue appeared to he ezoeneive. Terms of
imprinoftmont ran ing from nito monTh to ai othe were ipkoeed iTh eome runn.ini con
iutively and soM4 oorent1. The raoult waa that the appe.lnt had to nerve a toti of 36 nonthe
impriBon- pent. The term in ech ooe was in keeping with the amount of money i..oied. Since
the action & the appo11nt wao syGtomatic the oonrt we entitled to take a werloda vlow and.
ioe a heavy aantanc6 elthouh he a tirt ot?der. it adopted a rathtr aiberaome rnethoeLe
impriionmnt withoat te opti)on ol' fine iL itzeir a rsevere ptmichment arid I rsic1or that a t?
rtii of three otr niifetly exceave. X will confirm the senteroe, on count 1 to 16 set eoide the
eentence in count no. 17 and cubatitute a centonce of IS monthe iriipriron- mert and order
tht the Zentences elin1d DUfl ooneurrentiy. The re.alt in thAt the appellant will morve 16
ontbri prinmen t. I further order that the appellant py corn netion to 1,he complainant on
each count in the amount etated in the oharei. The appe1a Pagainst contenco are allowed to
the extent indiceted abwe. livred in Court at Aruaha the day of July, 1971•. (c., 3IA3LE) jam

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