

TANZANIA / JUDGMENT

na TZHC Dodoma 14

COURT
TZHCDECIDED
1 January 1972

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

IU THE RIG-il €OlP OP T.UIZATIA AT DODOA IIC-Fi COURT CRIIINAI AP:PEAL iTO. 195 OF 1972
ORIG-IHAL GUIMIFAL CASE MC. 110 OF 1972 OF SME DISTRICT COURT OF IIfEYA DISTEICT AT
IJPEYA Before I. T:l.IuI. M ages Es q ,,,.....,.....DistritTiagistrate IIOELI S/C WILISON
CHARLES (Original Accused) Versus

- THE REPUBLIC. e Re sponent Charge Stea1in by Rublic se.±'vant cont'ay to sec
ti On 270 and 265 of the Penal Code, Cap. 16 Tolure 1 of the laws. JUDGEMJThNT KJIKIIL.
AG-, J. The appltant, a rrimary court clerk was convictd for stealing She. I 52/=. It was averred
in charge that he stole the noney in the course of his enplo3n':Lc-nt. On being contc he was
sentenced to three years iimrisonment under the Ilininun Sentences Act. The evidence
against hiri was weighty. The books of account he. kept showed that he had collected various
sums of noney from the public and issued receipts to the payers. He accounted for all the
noney collected except for the She, 1 52/=. He was at a loss for words when called upon to
explain the shortage, .;ccepting responsibility for the shorthge, the appellant mdc it good
from his own resources. He was nevertheless charged, tried and con victeö. of theft by
public servant. In sentencing hin the learned trial magistrate did not invoke the provisions
of s. 6 of the Minimum Sentence Act although the appellant was, to usek-a scoutinr, tern, a
tenderfoot. There. was nothing that could be done to help the appellant, for, the rovisions of
that section require that besides a clean record the monetary value involved ruot not exceed
She. 100/=. Unfortu- nately for appellant, , what he as proved he have stolen was in ex cess of
hs. 1 00/=. His appeal cannot suceed from whatever angle it is exemineJ It is therefore
dismissed in its entirety. M. II. A. ICJIMIMA

Source & 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.tanzlii.org/media/judgment/348924/source_file/ccf91b7a267f0913/na_TZHC_Dodoma_14.pdf
CASE PAGE	https://chat.esheria.ai/case-law/tanzania/noeli-so-wilson-charles-v-the-republic-theftbypublicservant-tzhc-1972

Prepared on 14 October 2026 · Esheria