

TANZANIA / JUDGMENT

salum sizya

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1 January 2025

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THE JUDICIARY OF TANZANIA IN THE HIGH COURT OF UNITED REPUBLIC OF TANZANIA AT
MWANZA MISCELLANEOUS CRIMINAL APPLICATION NO. 000025407 OF 2024 SALUM SIZYA @
KARUZI COMPLAINANT / APPELLANT / APPLICANT VERSUS
REPUBLIC RESPONDENT / DEFENDANT

RULING

MATUMA, J The applicant is seeking an extension of time within which to appeal against the decision of the District Court of Sengerema vide Criminal case no. 20 of 2023 in which he was convicted for two counts of Burglary and Stealing. In each count he was sentenced to a custodial sentence of five years. At the hearing of this appeal, the appellant appeared in person being under custody while the Respondent was represented by M/S Brenda Mayala and John Simon Joss learned State Attorneys. The applicant submitted that having been convicted he lodged the notice of appeal timely but when he lodged his appeal the same was lately presented by Prison authorities and thus rejected on the ground that it was out of time. To prove his submission he showed to this court a notice of appeal which he filed to the District Court six days after his conviction and sentence. The learned State Attorneys did not object this application and prayed that the applicant be extended time to appeal because he made the requisite efforts to initiate the process of appeal by filing the notice in time. Having heard the parties, I agree with them that indeed the applicant lodged the notice in time which indicates that he was eager to prosecute his appeal. The late presentation of his Petition of Appeal was a matter beyond his control. This application is thus allowed and the applicant is extended ten days within which to file a fresh notice of appeal and twenty-one days within which to lodge his Petition of appeal. Page. 1 Hon. ATHUMANI MATUMA It is so ordered. Dated at MWANZA this 24th of March 2025 . A. MATUMA JUDGE OF THE HIGH COURT Page. 2 Hon. ATHUMANI MATUMA

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CASE PAGE	https://chat.esheria.ai/case-law/tanzania/salum-sizya-karuzi-v-republic-extensionoftime-tanzlii-2025--6a3ea5243b1caa912981a683

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