

TANZANIA / JUDGMENT

director of public prosecution vs mathew mollel 2018 tzhc 2408 14 november 2018

COURT
TZHCDECIDED
14 November 2018

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IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA (ARUSHA DISTRICT REGISTRY)
AT ARUSHA CRIMINAL APPEAL NO. 25 OF 2018 (Original from Criminal Case No. 430 of 2017 in
the Resident Magistrate Court of Arusha before Hon. G. A. Mwankuga RM) THE DIRECTOR OF
PUBLIC PROSECUTION PLAINTIFF VERSUS MATHEW MOLLEL RESPONDENT

RULING

BEFORE: I. MAIGE. J The notice Initiating the appeal is entitled "in the Resident Magistrate Court" It would have been entitled in the High Court according to section 392 of CPA. Mr. Koisenge who appeared for the Respondent and Mr. Mwaitende for the Appellant have a concurrent view on that position. I entirely agree with them. In view of the recent decision of the court of Appeal in DPP Vs Sendi Wambura and others, Criminal Appeal No. 480/2016, failure to entitle the Notice of intention to appeal by the DPP, "In the High Court", renders the Criminal Appeal fatally defective. The appeal is th c (T JUDGE 14/11/2018

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Prepared on 13 October 2026 · Esheria