

TANZANIA / JUDGMENT

WISTON RULING

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24 March 2025

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IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA DAR ES SALAAM SUB-REGISTRY DAR ES SALAAM MISC. CRIMINAL APPLICATION NO.27053/24 (C/f Criminal Case No. 387 of 2023 in the District Court of Mkuranga at Mkuranga) WISTON MPILUKA
WILLIAM.....APPLICANT Vs. THE
REPUBLIC.....RESPONDENT

RULING

Date of last Order: 12-2-2025 Date of Ruling: 24-3-2025 B.K.PHILLIP,J The applicant moved this court under Section 361(2) of the Criminal Procedure Act, Cap. 20 R.E. 2002, praying for an extension of time for filing an appeal against the judgment of the District Court of Mkuranga at Mkuranga. An affidavit sworn by the applicant supports the application, which is not contested. At the hearing of this application, the learned State Attorney, Winfrida Ouko, appeared for the Republic, while the learned Advocate, John Msifuni Msuya, appeared for the applicant. When invited to address the Court, Mr. Msuya adopted the contents of the applicant's affidavit in support of this application in which the applicant 1 deposed as follows: that he was arraigned on an unnatural offence contrary to section 154 (1) (a) and (2) of the Penal Code, in the District Court of Mkuranga at Mkuranga. Upon hearing of the case, on 13th February 2024, he was found guilty and sentenced to serve a life sentence. He lodged a notice of intention to appeal on 19th February 2024. He requested to be supplied with copies of the Judgment and proceedings, but they were not supplied to him promptly, as he received them on 30th May 2024. Thus, he filed this application. On her part, Ms. Ouko informed this court that she was not objecting to the application. In my considered view, this application has merit. The facts stated by the applicant in his affidavit have not been contested; therefore, they are truthful and accurately reflect what happened to the applicant. Thus, I grant the applicant an extension of time for filing his appeal. The same should be filed within thirty (30) days from the date of this order. Dated at Dar es Salaam this 24th day of March 2025 B.K.PHILLIP JUDGE. 2 3

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CASE PAGE	https://chat.esheria.ai/case-law/tanzania/wiston-mpiluka-william-v-the-republic-extensionoftime-tanzlii-2025

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