

IN THE HIGH COURT OF TANZANIA
AT TABORA
CRIMINAL SESSION CASE NO. 121 OF 2005

THE REPUBLIC

VERSUS

1. **SEIF S/O JOSEPH @ KANUTI**
2. **GEORGE S/O KANUTI**
3. **AYOUB S/O ATHUMANI @ KADUMBAGA**

PROCEEDINGS

High Court Sessions at TABORA

Date: 18/11/2008

Coram: Hon. L.K.N. Kaduri, Judge.

Mr. Mark Mulwambo, State Attorney for the Republic

Accused (name)

1. SEIF S/O JOSEPH @ KANUTI
2. GEORGE S/O KANUTI
3. AYOUB S/O ATHUMANI @ KADUMBAGA are present
under custody and represented by Mr. K.K. Kayaga,
Advocate.

Interpreter Ms. Dotto Kwilabya, English into Kiswahili and
vice versa.

Notice of trial on Information for Murder contrary to section 196 of the Penal Code was duly served on the accused, now before the Court on 18/11/2008

Information is read over and explained to the accused in their own language and he is required to plead thereto.

Plea: -1st Accused: -It is not true.

2nd Accused: - It is not true.

3rd Accused: - It is not true.

2nd Count:

1st Accused: It is not true.

2nd Accused; It is not true.

Entered as a plea of "Not Guilty" to the charge.



.....
JUDGE

20/11/2008

Mr. Mulwambo:

Before we proceed we have information that the 3rd accused Ayub Athmani Kadumbagu is dead.

We produce the death certificate for the record of the court. We pray that u/s 284 CPA the court may order abatement of the proceedings against him

Order:

Upon production of the death certificate, it is hereby ordered that proceedings against the 3rd accused Ayub Athman are hereby marked abated.


L.K.N. KADURI

JUDGE

17/11/2008

Mr. M. Mwangi: State Attorney.

We pray for an adjournment to sift the evidence for the prosecution for there are about 50 witnesses.

Mr. Kayaga:

We have no objection.

Order: Hearing adjourned to 25/11/2008.

High Court Session at Tabora

Date: 25/11/2008

Coram: Hon. L.K.N. Kaduri, J.

Mr. Zachari Kakwaya, State Attorney for the Republic.

Accuseds (name)

1. Seif s/o Joseph @ Kanuti
2. George s/o Kanuti are present under custody and represent by Mr. K.K. Kayaga, Advocate

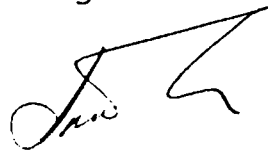
Interpreter Ms. Dotto Kwilabya, English into Kiswahili and vice versa.

Mr. Kakwaya: State Attorney.

My Lord the DPP wishes to withdraw this case u/s 91 (1) CPA.

Order:

The DPP does not wish to further prosecute the two accuseds so the charge is marked withdrawn and the accuseds are hereby discharged.



L.K.N. KADURI

JUDGE

25/11/2008