

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA  
SUMBAWANGA SUB-REGISTRY  
AT SUMBAWANGA**

**MISC. CRIMINAL APPLICATION NO. 18 OF 2023**

*(Originating from the District Court of Sumbawanga at Sumbawanga  
in Criminal Case No. 79 of 2020)*

**BETWEEN**

**ISACK s/o MAEMBE .....APPLICANT**

**VERSUS**

**THE REPUBLIC..... RESPONDENT**

Last order: March 12, 2024

Ruling : March 12, 2024

**RULING**

**NANGELA, J.:**

This is an application for extension of time to file a Notice of Appeal to this court. The Applicant was initially charged and convicted of an offence of incest by male, c/s 158(1) of the Penal Code, Cap.16 R.E. 2019 and was sentenced to serve 30 years jail term.

Unsatisfied by the conviction and sentence he wanted to appeal to this court, but he was not availed with the copy of the judgement immediately because he was committed to Kitete Prison and was later shifted to another prison. He only got the copy of judgement later at a time when he could not appeal without first seeking for an extension of time.

When this application was called for hearing on this 12<sup>th</sup> day of March 2024, the Applicant appeared in court

unrepresented. The Respondent enjoyed the services of Ms. Atupele Makoga and Neema Nyagawa, learned State Attorneys. They supported the application.

I have gone through the chamber summons and its supporting affidavit. I am satisfied that the Applicant should be granted the time to exercise his right to appeal to this court without waste of more time. The reasons disclosed in his affidavit warrant that he be granted more time to lodge his Notice of Appeal and his Memorandum of appeal in this court.

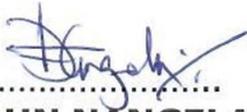
In the upshot of the above this court settles for the following orders:

1. That, the Applicant's prayers to file an appeal out of time is granted.
2. That, the Applicant should file his Notice of Appeal and Memorandum of Appeal within 30 days from this date (12/03/2024).

It is so ordered.

**DATED AT SUMBAWANGA ON THIS 12<sup>TH</sup> MARCH 2024**



  
.....  
**DEO JOHN NANGELA**  
JUDGE