

**IN THE RESIDENT MAGISTRATES COURT OF MOSHI**

**AT MOSHI**

**ECONOMIC CASE NO. 6 OF 2015**

**REPUBLIC**

**VERSUS**

**1. JON GRANT**

**2. LINDA GRNAT**

Date: 15/1/2016

Coram: J. C. Tiganga -PRM

Prosecutor: Mr. Chavula SSA

B/C: Heri

Accused: Present

**FINDINGS**

Having heard the Accuseds response to the charge and the way he has responded to the facts, I hereby find that the Accused has pleaded guilty, his plea is clear and certain. I therefore find him guilty as charged and convict him as such.

It is so ordered.

J. C. Tiganga-PRM

15/1/2016

**PREVIOUS CRIMINAL RECORD**

We have no previous criminal records, and we pray that the Accused be sentenced according to the law.

**Mrs. Minde Advocate**

Your honour, as stated the Accused is a person of clean criminal record. He is a retired person who has been travelling for long time, and although not stated in the facts but his health status is not good. He has a long history of complications since 1998.

His problems are associated with heart failure hypertension and has both knees replaced, and such he is under constant medical care.

He is currently aged 72 years old and by any standard he is not a young person.

Under the circumstances we are praying that the leniency of this honourable court while sentencing him. Basically we are requesting for a custodial sentence since the law also permit non custodial sentence.

That is all.

## SENTENCE

Having considered all the mitigating factors as clearly expounded by Mrs Minde Advocate, the facts that the Accused person is the first offender and he has voluntarily pleaded guilty to the charge, I find that the Accused person deserves a lenient sentence from this court. However lenient I will be, I must be guided by the law upon which the Accused was charged has been found guilty and convicted.

The law imposes a fine which is the amount equal to two times the value of the trophy involved. In this case the trophy involved is worth USD 15,000 which is equivalent to TShs. 32,169,300/= Thirty Two Millions One Sixty Nine Thousands Three Hundred or a jail imprisonment for two years.

For that reasons, I therefore fine the Accused person to pay fine of USD 30,000 or TShs. 64,388,600/= Sixty Four Millions Three Hundred and Thirty Eight Thousands and Six Hundred which its equivalent) or in default to suffer a two years jail imprisonment.

It is so ordered.

J. C. Tiganga-PRM

15/1/2016

Right of Appeal against sentence explained and guaranteed.

J. C. Tiganga-PRM

15/1/2016

Further to that, under S. 84(2) of the Wildlife Conservation Act Cap No. 5/2009, the trophy is confiscated and turned to be the government property.

It is so ordered.

## **COURT**

Delivered in open chambers, in the presence of the Accused person, Mrs Minde and Mr. Maro for Defence counsel as well as Mr. Chavula and Kibwana, Senior State Attorneys.

J. C. Tiganga-PRM

15/1/2016

## **Mrs Minde**

Since their passport were ceased we pray an order for the release of the passport and the return of the deposit.

## **COURT**

Following the sentence and the termination of the case, I hereby discharge the liability of the sureties, and order that the amount deposited as the security for bail of the Accused person be returned to the accused persons or any person who paid it.