

THE REPUBLIC OF UGANDA

IN THE CHIEF MAGISTRATES COURT OF KASESE AT KASESE

KAS-OO-CR-007 OF 2019

UGANDA =====PROSECUTION

VERSUS

KAMALHA TOMAS=====ACCUSED

**BEFORE HIS WORSHIP SAYEKWO EMMY GEOFFREY
JUDGEMENT**

The accused was charged with three counts, illegal entry, and possession of device capable of killing and destroy wildlife and disturbing of wildlife protected plants and destroying of wildlife species. He pleaded not guilty.

The issue

Whether the accused person committed the offence(s) charged or not.

The burden of proof lies on the prosecution as expounded in the E. Act Cap 6 laws of Uganda. The standard of proof is beyond reasonable doubt has held in a number of cases which bind the court judicially utilized.

To discharge the burden of proof the prosecution produced a ranger who arrested the accused and had accused photographed with an axe and other exhibits as exhibited.

The prosecution closed with one witness there is no fixed number of witnesses to prove a proposition. I had an opportunity look at the demand of he accused he did not have anything to say, even cross examination. The conduct did not portray that of an indecent person. Although an accused person cannot be convicted basing on the weakness of his case, it is clear that prosecution has proved this case beyond reasonable doubt. The accused person is accordingly convicted as charged

Sayekwo Emmy Geoffrey
Chief Magistrate

Pros: no past criminal record of the accused person he has spent 2 months on remand. These cases are rampant and has caused loss to the government. I pray for a deferent sentence to send a message to the public that wildlife can be protected.

Accused: I pray that to be lenient to me I have people to look after.

Court: in view of the above, the accused person is sentenced to one year in jail for each count

Each sentence runs consecutively

Right to appeal against the sentence is explained



Sayekwo Emmy Geoffrey
Chief Magistrate