P/pross: upeleleziumekamilikahivyonaombatarehenyengneyakutajwa.

18/4/2023

Accused:naombakumuitawakili.

18/4/2023

Order. (1) Mention on 2/5/2023.

(2) Mshtakiwaanaruhusiwakuletawakili.

(3) Mshtakiwaabakirumandekwasababukosaaliloshtakiwa nalo sio la dhamana.

18/4/2023

Date 02/05/2023

Coram: Hon. Omar M. Hamza (RM)

P/P: Zalha S/A for Dpp.

Accused: Present [ amewakilishwanawakili Amina Kheri].

C/C: Saad Ali

p/pross:shaurilipokwakutajwamtuhumiwaalitakakuletawakilinaleoyupowakili wake naombatareheyenginekwakukusikilizwamashahidiwaitwe.

2/5/2023.

Wakili Amina Kheri

sinapingamiziilanaomba charge sheet yakosa.

2/5/2023.

Order: (1) hearing on 15/5/2023.

(2) Mashahidiwaitwe.

(3) Mtuhumiwaabakirumande.

2/5/2023.

Date 15/5/2023

Coram: Hon: Omar M.Hamza (RM)

P/p: Zalha S/A for Dpp

Accused: Yupo

C/C: Saad Ali

P/pross: Shaurileolipokwakusikilizwa; leotumepokeamashahidiwawili, lakiniwakiliwamshtakiwaanaumwaleo, hivyonaombatuharishenamashahidiwaonywe.

15/5/2023

Accused: namsubiriwakliwangu.

15/5/2023

Order: (1) kusikilizwatarehe 29/5/2023

(2) Mashahidiwaonywe.

(3) Mshtakiwaabakierumande.

15/5/2023

Date 29/5/2023

Coram: Hon: Omar M. Hamza (RM)

P/p: Zalha + Halima S/A for DPP

Accused: Yupo [ anawakilishwanawakili Amina Kheri.]

C/c: Saad Ali.

P/pross: shaurilipokwakusikilizawapomashahidiwatatutupotayari.

29/5/2023.

Advocate Amina Kheri.

Sikotayarileokusilikizashahidi .tokeanipatekesihiinilikuwanaumwasikupatamudawakumsikilizashahidiwangu “ mshtakiwa” hatahivyonaombakuwasilishaAlibaidefencenaleobadosijajanayohivyonaombanipewemudakablayakusikilizashahidi.

29/5/2023.

P/pross: sinapingamizinahilo, ilanaombahiiiwe mara yamishotusiwarejesheshahiditena.

29/5/2023.

Order: (1) Hearing on 12/6/2023

(2) mashahidiwanaonywa

(3) mtuhumiwaabakierumande.

29/5/2023.

Date 12/6/2023.

Corum – Mh. Omar M. Hamza

P/pros – Zalha S/A for Dpp

C/C: Ameir

Accused – yupo[anawakilishwanawakili Amina Kheri]

p/pross:shaurilipokwakusikilizanimepokeashahidiwatatu, nipotayarikusikilizaleo.

12/6/2023.

Wakiliaminaleonipotayarikusikilizashahidi, pia nawasilishanotisya Alibi kwaniabayamtejawangu.

12/6/2023.

Order: Notisya Alibi imepokelewabaadayakuwasilisha.

12/6/2023.

SHAURI UPANDE WA MASHTAKA KUANZA KUSIKILIZWA.

PW1: Nahnu MamojaNgwali, miaka 40, Mwanamke, mtumzima, naishiKiwengwakumbaurembo, kazibiashara, Dini Muislamuanaapanakuelezakamaifuatavyo-:

Examination in chief.

* NaitwaNahnuMamojaNgwali, naishiKIwengwakumbaurembo.
* Naishimiminamwanangu, anaitwa Suleiman Haji Muhidinina pia naishina Watoto wangu
* Azraq Suleiman Haji nimiongoniwaWatoto wangu.
* Miakayakeni 5 amezaliwatarehe 13/5/2017,
* Nakumbuka siku ya 30/3/2023, miminilikuweponyumbaniKiwengwa, nilimuonamwananguAzraq Suleimani haliyakesinzuri, alikuwaanajinyea mara kwa mara, nilimuitamtotowangukumuulizambonahaliyakosinzuritangujuzi, nguozakezilikuwaanajichafuakwakuitiakinyesi.
* Nilipomuulizaaliniambia Ka Abdul, (yaanimshtakiwa) miminilimuhijikakufanyanini?
* Akaniambiakanitiachululuyakehukunyuma (sehemuyakunyea)
* Akasemaanafanyahivyoukumbinikwetuanapokuwaanaangalia T.V. saa 3:00 usiku.
* Baadaenilimsubirimumewanguarudinikamuelezahali yam toto natukiojinsimtotoalivyonieleza .
* Siku ya pili, kwasababuwakatinamuelezailikuwausiku, hivyotulikwendapolisi siku ya pili.
* Tilipoelezea, baadaetulipewakaratasiyakumpelekamuhangaspitaliKivungekwauchunguzi.
* Baadayakuchunguzwatuliitwana daktarin a kupewamajibu.
* Aliniambiakuwamtoowanguameingiliwakinyumenamaumbilena pia nimvishepampasi.
* Baadaetulichukuamajibunakupelekakituonikiwengwa.
* Abdul Julius ni Jirani yangunaanakujaKwangukila mara anapokuwanashida. Pia anaangalia T.V.
* Mara nyingihuwaanakujausikunatunamuamini sana na siku nyenginesisihuwendakulalanakumuachia T.V anaangaliana Watoto.
* Nilianza
* kumuonamtotowanguanatoakinyesikama siku tatu.
* Huu nimweziwa tatu Abdul Julius alikuwepoKiengwa.
* Baada y siku mbilimbeleyeyendiponikawasijamuona pale nyumbai.
* Abdul Julius nihuyohapombeleyamahakama (shahidialimnyoosheakidolemshtakiwa).

12/6/2023

Court:shahidiamemtambuamshtakiwa, akiwamahakamani.

12/6/2023.

Court:Kifungu cha 201(3) cha CPAkimezingatiwa.

12/6/2023.

PW1: sihitajikusomewatenamaelezoyangu.

12/6/2023.

Masualiyawakili Amina Kherikwashahidi PW1.

* Ndiomimini mama wamuhanga.
* Ukiachiamuhanganinao Watoto 8 nawotenaishinao.
* Mkubwaanamiaka 21 kwasasa.
* NdioninaemtotoanaitwaAbdullnanaishindanimwangu.
* Chiniyaumriwamiaka 5 kujachinininao Watoto watatu.
* Hawa sijawaona Kwenda hajakubwa mara kwa mara
* Nilianzakumgundua siku tatu nyumaanatoakinyesi.
* Abdul Julius anakaanyumbaya pili Jirani.
* Abdul mwanangunamtotomwenyeumriwamiaka 21 wotewanalalakwangu, nyumbayanguinavyumba 4.
* Muhanganimemwitatarehe 30 nakumuuliza .
* UsikumudawaTiViinakuwanishalala mara nyingi.
* Sijuiwakatiwakuangalia T.V sijuiwapowatuwangapi.
* Mumewanguhanamudamaalumkurudikazini
* Siku nyenginesaa tatu yuponyumbani.
* Sijuiwakatigani T.V inazimwana Kwenda kulala. Pia sijuikama siku nyenginehaifunguliwi.
* Kweliabdul Julius haji kila siku.
* Kwelikuna siku anakwendakuangaliasehemunyengine .
* Sijuikaingiliwasaa ngapi mwanangu.
* Sikumuonamwanangualipoingiliwa.
* Muhangaalinijibuhapohaponilipomuulizanaakanitajiajina la Abdul Julius.
* Polisi tulikwendatarehe 31/3/2023na hospital tarehehiyo hyo.
* Baba nilimtaarifutarehe 30/3/2023 namajibunimepewa 31/3/2023 hospital
* Azraqalikuwaanachafukaanatoaharufusijuiharufigani.
* Abdul Julius anaishi peke yake. Sijuikamakwakemudawoteanaishi peke yake.

12/6/2023

Re- Examination, muendeshamashtakakwa PW.

* Mimhuangalia T.V mapematusaa 1:00.
* Huuwasaambilinaakuwanaendakulala.
* Watoto wanguwenginena Abdul Julius huwanamuachaukumbiniwanaangalia T.V.
* Mweziwa tatu kama siku mbilitundio siku muonanyumbani.
* Mimi Azraq (muhanga) sikumuhojisaa, isipokuwaaliniambiausiku.

12/6/2023.

Clarification yamahakamakwa PW1.

* Wakatiwasaa 3:00 usikuhuwepo Watoto wadogowadogotu.Mkubwahuwahawakaikwenye T.V wanaokaaniwadogo,,mmojamiakaminnenamwenginemiakamitatu.

12/6/2023.

PW2: Azraq Suleiman, miakamitano, mwanamme, mtoto, naishikiwengwa.

12/6/2023.

Court. Shahidi miaka5 nimtoto (tender age) hivyolazimaafanyiwevipimovyavoredirekupimaufahamu wake kupimaufahamu wake wakiapo.

12/6/2023.

Masualiyavoredire test.

(1). Suali; Je unasomashule.

Jibu;sisomishule.

(2)suali, Je unasomachuoni.?

Jibu: ndionasoma.

(3) suali: Je mwalimuwakowa madrasa.

Jibu. Anaitwaustadhi, miminamjuahilotu.

(4)suali:chuoniuko sura gani.

Jibu: Alifu.

(5)suali: kwaninimtuanaambiwaaape?

Jibu. Sijuikwaninimtuanaambiwaaape.

12/6/2023.

Court.Baadayamasualihayoyauchunguzimahakamaimeonashahidibadomtoto sana nahajuimaanayakiapo, hivyo Ushahidi wake utachukuliwabilayakiapo.

12/6/2023

PW2: Azraq Suleiman maelezoyake.

Examination in chief by p/pros.

* Naishikiwengwana baba, mama kaka na dada
* Ninaonduguzanguwanaishikiwengwa,
* Mama yangunamwita mama tu.
* Mnamo 3/2023 saa 3:00 usiku,nilikuwaNyumbaninimekaaukumbini.
* Nilikuwamimina Abdul yule pale amemnyoosheakidolemshtakiwatunaangalia T.V halafuakanitiachululuyake, sehemuyaakunyea.
* Nduguzanguwalikuwawamelalana kaka yangu, mara mojatuamenifanyiahivyo
* Kaka yanguanaitwaZube, DulinaTaita.
* Dulijinajengine ,Abdullmiminamuita duly.
* Mama ameniulizandiomaanaamejua.
* Nilikuwanimeamkamapemaakaniuliza mama umebakwa nan ani nikasemaAbdull
* Mama alinionanachafuasurualikwamavi, ndiomaanaakaniuliza.
* Baadaenilipelekwakituoninaspitalikutizamwa, sehemuyakunyea.
* Siku ya pili aliniita mama nilipokuwanacheza
* Abdul yupi au anakaakwake, hapakwetuapakwako.
* Yule pale ndiealienibakashahidiamemuonesheakidolemshtakiwa.

12/6/2023

Court: shahidiamewezakumtambuamshtakiwakwakumuonesheakidoleakiwamahakamani.

12/6/2023

Court:kifungu cha 201(3) cha CPA kimezingatiwa.

12/6/2023

PW2: Sihitajikusomewatena.

12/6/2023

Hoja za wakili Amina Kherikwa PW2.

* NakaaKiwengwana Mama, Dada Kaka nanduguzangu.
* Naangalia Tv nyumaniukumbuni.
* Usikundionaanngalia T.V namimindienimeangalianakufungua
* Ndio mama anakuweponikiangalia T.V, Mama, Kaka Zuber na Dada.
* Kaka Abdul nae anakuwepo
* Kila siku anakuwepo kaka Abdul,
* MshtakiwanamwitaAbdullsimjui Baba yake.
* Sijawahikuionachululuyakemshtakiwa pia chululuya kaka dulisijaiona
* Kanitiachululuyakekwakunyea, ilikuwepotaa.
* Kaka abdul a nduguzanguwalikuwepo
* Baba na mama wamelala.
* Ukumbinihapachumba cha Baba kipohuku
* Wakina dada na kaka wakatinaiwachululuwalikuwepo.
* Siku nyenginemtuhumiwa haji kuangalia T.V nyumbaniyupokwakeanakuwa.
* T.V pia nafunguamimi
* Sikuniliotiwachululu T.V kaifunguamtuhumiwayeyesiomimi.
* Nilipokuwaananitiachululusikupigakelele, kaka zanguwalikuwawamelala.
* Mlangualiufunga Baba usiku, huaanakujaanafungamlango.
* Njehuwanachezana tatu najanat, upomtinyumbani, mwembe, mdimunambirimbi.
* Ndiokuna siku nilianguka.kakadulianasimukubwa
* HuwatunaangaliaT,.V kwenyesimu, huwatunaangaliakatunikwenyesimuya Baba.
* Kaka Zubeirhatakisimuyakekubwa.
* Mimi nalalanataitafaa hao tu.
* Mama alinipiganilipochafuanguo.
* Mama ameniambianijenisemehapa.

12/6/2023

Re- Examination uapendewamshtatikwakwaPW2

-siku uliyonitiachululunilikuwamimina Abdul mshtakiwa

- Dada na Kaka walikuwawamelalachumbani

- Sijaonachululuyake

- Ka Abdullkanitiachululutunakokunyeachululuyakeipombele

- Kweliyametokeayakunitiachululu.

- Mama alikuwakalalawakatiananitiachululu

- Sijuialiemwambia mama nani.

- Mama kanambiakakubakananinikamwambia Abdul (mshtakiwa)

12/6/2023

Court clarification to PW2.

* Yule pale Kaka Abdul ndiealienitiachululu, nihuyu
* Kaka Duly analalanaJanatnamwanaesiomimi.

12/6/2023.