**Ramadhani v Republic**

**Division:** Court of Appeal at Dar Es Salaam

**Date of judgment:** 4 March 1974

**Case Number:** 5/1974 (29/74)

**Before:** Sir William Duffus P, Law Ag V-P and Musoke JA

**Sourced by:** LawAfrica

**Appeal from:** High Court of Tanzania – Biron, J

*[1] Criminal Law – Corruption – By public servant – Loan – Lack of interest not necessarily conclusive*

*that consideration inadequate.*

**Editor’s Summary**

The appellant, a police officer, obtained a loan without interest from a person whose conduct he was

investigating. He had been friendly with him before and previous small loans had not been repaid.

The appellant appealed from his conviction for corruption alleging that there was no real connexion

with the investigation, and that the absence of interest was immaterial.

For the respondent it was submitted that a loan without interest must always be for an inadequate

consideration.

**Held –**

(i) the mere absence of interest is not conclusive of inadequate consideration (dictum in *Haining v.*

*Republic* (1) explained);

( ii) on all the facts the consideration was inadequate.

Appeal dismissed.

**Case referred to Judgment:**

(1) *Haining v. Republic*, [1970] E.A. 620.