

IN THE HIGH COURT OF UGANDA AT  
KAMPALA.

**CRIMINAL APPEAL NO 191 OF 1970**

*[Original Criminal Case No. MHA.1093 of 1969 of the Magistrate's Court of Masaka at Masaka Before: N.M. Patel, Esq., Magistrate Grade I]*

MARTIN MAWATA ..... APPELLANT

VERSUS

UGANDA. ....  
RESPONDENT

**14<sup>th</sup> July 1970.**

**BEFORE: A.W.K. MUKASA.J**

**JUDGMENT.**

The appellant Martin Mawata was convicted on his own plea of robbery contrary to Sections 272 and 273 (1) (a) of the Penal Code Act. He was sentenced to 3 ½ years' imprisonment, and was ordered to pay 200/- compensation to the complainant, under S.273 (3). The appeal is against sentence only.

Having perused the record, I see no merit in the appeal. The appellant had a previous conviction for assault and it was a brutal attack upon the complainant, only God's providence did save the life of the complainant.

The trial magistrate, however, overlooked one more mandatory fact of the punishment, which the appellant deserved, and that is the Police supervision Order under S.321A of the Criminal Procedure Code.

As this was an appeal against sentence, I will impose it myself to correct the record.

The appeal against sentence is hereby dismissed and the accused is to be placed under police supervision for a period of 3 years with effect from his release; otherwise the sentence is confirmed.