



**Court of Magistrates (Malta)
As a Court of Criminal Judicature**

Magistrate Dr. Doreen Clarke LL.D.

Today, the 20th of July, 2016

**The Police
(Inspector Lara Butters)**

VS

Beyene Fessahatsion Weldeabzghi

Compilation number 165/2016

The Court,

Having seen the charges against Beyene Fessahatsion Weldeabzghi, 26 years of age, son of Fessahatsion and Ezgaharia nee Weidetnsaie, born in Eritrea on the 24th of May, 1999 and residing at no 15, Triq L-Innu Malti, Zebbug, Malta and holder of Maltese document number 115501(A).

Charged with having on the 3rd of July, 2016 at around 02:15hrs at Msida Road, Gzira, Malta:

1. Wilfully committed any spoil or damage to the vehicle make Peugeot 206 Registration Number DBU-536 belonging to Renald Mallia, holder of ID card 463077(M) which damage does not exceed €2,500 but exceeds the sum of €250.
2. On the same date, time, place and circumstances, willfully committed any spoil or damage to the motorcycle make Snow Motorcycle

registration Number FBU 227 belonging to Antonio Giordano, holder of ID card 217201L which damage does not exceed €2,500 but exceeds the sum of €250.

3. On the same date, time, place and circumstances wilfully committed any spoil or damage to the vehicle make Skoda Felicia Registration Number LCE 742 belonging to Michael Micallef, holder of ID card 215859(M) which damage does not exceed €2,500 but exceeds €250.
4. On the same date, time, place and circumstances having been found in possession (otherwise than in the course of transit through Malta or the territorial waters thereof) the resin obtained from the plant Cannabis or any preparations of which such resin formed the base.
5. On the same date, time, place and circumstances in any public place or place open to the public, having been found drunk and incapable of taking care of himself.

Having seen the order of the Attorney General for this case¹ to be tried summarily.

Having seen that the defendant admitted the charges brought against him, and that he confirmed this admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard the submissions regarding the penalty to be meted out.

Having considered

That defendant admitted the charges brought against him; these are consequently sufficiently proven.

With regards to the penalty to be meted out the Court took into consideration the nature of the offences of which the defendant is being found guilty, his cooperation with the investigating officer, his admission at the earliest stage of these proceedings and his clean conviction sheet. For purposes of section

¹ In so far as the 4th charge is concerned.

325 of Chapter 9 of the Laws of Malta it should be pointed out that in each instance the amount of damages does not exceed the sum of €250.

Wherefore the Court after having seen sections 325(1)(c) and 338(ff) of Chapter 9 of the Laws of Malta and section 8(d) of Chapter 101 of the Laws of Malta as well as section 4 of Chapter 537 of the Laws of Malta, on his admission finds defendant guilty of the charges brought against him and for the fourth charge condemns him to a fine of fifty Euros (50) which is to be paid within a month; and for the other charges, by application of section 7 of Chapter 446 of the Laws of Malta, is placing him under a Probation Order for the period of two years in terms of the conditions imposed in the Order given separately. Furthermore and by application of section 24 of Chapter 446 of the Laws of Malta the Court is ordering defendant to pay the injured parties the total sum of one hundred fifty three Euro and forty three cents (€153.43); payment is to be effected within two months.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he fail to observe the conditions imposed.

The Court is ordering that this judgement is served on the Director of Probation.

DR. DOREEN CLARKE
MAGISTRAT