



MALTA

**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

MAGISTRATE DR IAN FARRUGIA LL.D

Today 30th August 2016

**The Police
(Inspector Hubert Cini)**

Vs

Abdullahi Mohamud Ali

The Court;

Having seen the charges brought against Abdullahi Mohamud Ali, ID 83211A wherein he was accused of having;

On the 29th August 2016 between 11:00 am and 11:30 am at the Bank Of Valletta, Triq Dun Pawl, Hal Luqa:- with intent to commit a crime having manifested such intent by overt acts which are followed by a commencement of the execution of the crime, which crime was not completed in consequence of some accidental cause independent of the will of Abdullahi Mohamud Ali, - (Art 41 (a) of the Criminal Code);

1. in order to gain any advantage or benefit for himself or others, shall, in any document intended for any public authority, knowingly make a false declaration or statement, or give false information, breach of Section 188 of the Criminal Code Chpt. 9 of the Laws of Malta.

2. by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event, shall make any gain to the prejudice of The Government of Malta , the Social Security Department and the Bank of Valletta, in breach of Section 308 and 310(1)(c) of the Criminal Code Chapter. 9 of the Laws of Malta.

3. made, to the prejudice of The Government of Malta and to the Social Security Department, any other fraudulent gain not specified in the preceding articles of this sub-title, in breach of Section 309, 310 1(c) of the Criminal Code Chpt. 9 of the Laws of Malta.

On the 29th August 2016 between 11:00 am and 11:30 am at the Bank Of Valletta, Triq Dun Pawl, Hal Luqa had in his possession, or made any use whatever of, any identity document not being the person other than the holder thereof, or the agent of the holder in the carrying out of any requirement of this Act 258 or of any other law on behalf of the holder, in breach of Section 22. (1) of Chpt 258 of the Laws of Malta.

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charges brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having heard prosecuting officer on oath;

Having seen the minutes of today's hearing;

Having heard submissions by the prosecution and the defence;

Considers;

That in view of the accused's guilty plea to all charges proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In terms of punishment, this Court is taking into particular consideration the fact that the accused pleaded guilty at the earliest possible opportunity in these proceedings.

THEREFORE, THE COURT, having seen Articles 17, 31, 41(a), 188, 308, 309 and 310(1)(c) of Chapter 9 the Laws of Malta, and Article 22 (1) of Chapter 258 of the Laws of Malta, finds and declares offender **Abdullahi Mohamud Ali** guilty as charged and condemns him to a term of imprisonment of one year suspended for a term of one year in terms of Article 28A of Chapter 9 of the Laws of Malta. The court explained to the accused his responsibilities under Article 28B of Chapter 9 of the Laws of Malta.

Dr Ian Farrugia LL.D
Magistrate

Marica Mifsud
Deputy Registrar