

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

Magistrate Dr. Doreen Clarke LL.D.

The Police
[Inspector Joseph Mercieca]

vs

Destiny Ogbiede

Today the 15th September 2016

The Court,

Having seen the charges brought against the accused Destiny Ogbiede holder of Maltese Identity Card number 46275A.

Charged with having between the 03rd April, 2016 and the 15th September, 2016, in these islands, failed to observe any of the conditions imposed by the Court of Magistrates (Malta) as a Court of Criminal Judicature, Magistrate Dr. Donatella Frendo Dimech LL.D., in its decree granting bail, dated the 29th March, 2016, by virtue of which, among other conditions, the accused had to appear for every act of the proceedings, as cited; he had to sign daily at Qawra Police Station and to be indoors, at St. Helen, Flat 4, Triq il-Korp tal-Pijunieri, San Pawl il-Bahar between 11pm and 6am.

The Court was requested, together with the befitting punishment, to revoke contrario imperio the decree granting bail, dated the 29th March, 2016 and to order the re-arrest of Destiny Ogbiede in due course. Moreover, the Court was requested to order the forfeiture in favour of the Government of Malta the three hundred (300) Euros, personal surety, by which the accused was bound to make good for his release on bail, in terms of Article 579(3) of Chapter 9 of the Laws of Malta.

Having seen section 579 of Chapter 9 of the Laws of Malta.

Having heard the accused plead guilty to the charge brought against him.

Having seen the documents filed by the prosecution.

Having heard the oral submissions made by the parties regarding the penalty to be meted out.

Having considered:

That the accused replied guilty to the charge brought against him; this is consequently sufficiently proved.

That, in so far as the penalty to be meted out is concerned, the Court took into consideration the nature of the offence of which the accused is being found guilty on the one hand and on the other hand his co-operation with the police and his admission at the initial stages of the procedures. The Court also took into consideration the fact that the accused has psychiatric problems.

Wherefore, the Court, after having seen section 579 of Chapter 9 of the Laws of Malta, on his admission finds defendant guilty of the charge brought against him and condemns him to four (4) months imprisonment and is ordering the forfeiture in favour of the Government of Malta of the sum of three hundred Euros (€300) representing the personal guarantee stated in the bail bond. Furthermore the Court is revoking the decree dated 29th March 2016 whereby the accused was released on bail and is consequently ordering his immediate re-arrest.

DR DOREEN CLARKE
MAGISTRATE