

In the Court of Magistrates (Malta)

as a Court of Court of Criminal Judicature

Magistrate Dr Aaron M. Bugeja M.A. Law, LL.D. (melit)

The Police

vs

Lucky Ezehi

The Court after seeing the charges issued against **Lucky Ezehi** holder of Italian travel document number MD 0017583 whereby he was charged with having on the 6th November 2016 at about 22:40 in Triq il-Vitorja, Qormi and in the Maltese Islands

1. Committed an offence against the decency and morals by any act committed in a public place or in a place exposed to the public (Art 209 of Chapter 9 of the Laws of Malta)
2. For having on the same date, time place and circumstances exposed himself naked or was indecently dressed (Art 338(q) of Chapter 9 of the Laws of Malta)

Having analysed the documents that were exhibited and all the records of the proceedings;

Having seen that the accused declared that he was guilty as charged.

The Court, in view of this declaration warned the accused in the most solemn manner about the consequences arising out of his guilty plea and granted him a reasonable time in order for him to retract this guilty plea. After that the Court granted this time to the accused, and after consulting with his legal counsel, the accused reiterated that he is guilty as charged.

In view of this declaration, duly reiterated, the Court has no option but to find the accused guilty as charged.

Decides : -

Consequently, this Court, after having seen regulations Articles 209 and 338(q) of the Criminal Code finds the accused **Lucky Ezehi**, upon his unconditional guilty plea, guilty as charged and condemns him to three months imprisonment; however having seen Article 28A of the Criminal Code it orders that the said sentence shall not take effect unless, during a period of one year from the date of this order, the offender commits another offence punishable with imprisonment and thereafter the competent court so orders under Article 28B of the Criminal Code that the original sentence

shall take effect together with a fine of one hundred euro (€100) that can be paid within seven days from today.

In terms of Article 28A(4) of the Criminal Code, the Court declares and explains in ordinary language to the accused his liability in terms of Article 28B of the Criminal Code if during the operational period he commits an offence punishable with imprisonment.

Delivered today the 7th November 2016 at the Courts of Justice in Valletta, Malta.

Aaron M. Bugeja