



MALTA

**IN THE COURT OF MAGISTRATES (MALTA)
AS COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE
DR. CHARMAINE GALEA**

Today, 12th of October 2018

**The Police
(Inspector Hubert Gerada)**

Vs

**Dinc Cuneyt Ibrahim
(British Passport number 556541339)**

The Court:

Having seen that the offender **Dinc Cuneyt Ibrahim** was charged with having on the 11th October, 2018 at around 21:30hrs, at Malta International Airport:

1. Reviled, or threatened, or caused a bodily harm to Insp Hubert Gerada and PS 65 Noel Said lawfully charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty in terms of article 95 of Chapter 9 of the laws of Malta;
2. Also, on the same date, time, place and circumstances, disobeyed the lawful orders of any authority or of any person that is Insp Hubert Gerada and PS 65 Noel Said entrusted with a public service, or

hindered or obstructed such person in the exercise of his duties, or otherwise unduly interfered with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever in terms of article 338 (ee) of Chapter 9 of the laws of Malta;

3. Also, on the same date, time, place and circumstances wilfully disturbed the public good order or the public peace and order in terms of Art. 338 (dd) of Chapter 9 of the laws of Malta;
4. Also wilfully committed any spoil, damage or injury to or upon any movable or immovable property belonging to any other person by causing damage to door at arrivals non schengen entrance which damage exceeds the sum of two hundred and fifty Euros (€250.00) but does not exceed the sum of two thousand and five hundred euros (€2,500) to Malta International Airport and/or other person/s in terms of article 325 (1) (b) of Chapter 9 of the laws of Malta.

After having seen all the records of the case;

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After having heard the offender plead guilty to the charges at an early stage of the proceedings, which guilty plea was confirmed by the same offender after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of that guilty plea, and allowed him sufficient time to re-consider his reply, and to change it;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offender, the Court concludes that the offender is guilty of the charges laid against him.

As regards the punishment, the Court took into consideration the fact that the offender admitted to the charges at a very early stage of the proceedings, that he co-operated with the police and that he declared that he is ready to pay the damages suffered by the injured party.

For these reasons the Court after having seen sections 95, 325, 338 (dd), 338 (ee) of the Laws of Malta, on his admission finds offender Dinc Cuneyt Ibrahim guilty of the charges brought against him and

condemns him to one (1) year imprisonment which by application of section 28A of the Criminal Code is being suspended to two (2) years from today and to the payment of a fine (multa) of eight hundred euro (€800).

In terms of section 28H (1) of Chapter 9 of the Laws of Malta, the Court is also ordering the offender to pay injured party (Malta International Airport) the sum of four hundred and eighty three euro and eighty cents (€483.80) within three (3) months from today.

In accordance with sections 28A (4) and 28H (7) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the offender, and the consequences which would follow if he fails to abide by it, that is if he commits another offence which is punishable by imprisonment within the operative period, and/or if he fails to pay the injured party the amount prescribed above within the time limit stipulated above.

**Dr. Charmaine Galea
Magistrate**

Diane Gatt
Deputy Registrar