



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

Magistrate Dr. Doreen Clarke LL.D.

Today, 15th November, 2018

**The Police
(Inspector Robert Vella)**

VS

Abdulnasir Mohammed Abdulahi

The Court,

Having seen the charges against Abdulnasir Mohammed Abdulahi, and holder of Identity Card number 60277(A).

Charged with having on the 03rd November, 2018 at around 20:30hrs, from the establishment styled as 'Afghan Food', situated in St. Joseph High Road, Hamrun committed the theft of a mobile phone of make 'Samsung' to the detriment of Hameed Rehman and/or other persons, which theft is aggravated by amount which exceeds the amount of two hundred and thirty-two Euros and ninety-four cents (€232.94), but does not exceed the amount to two thousand, three hundred and twenty-nine Euros and thirty-seven cent (€2,329.37).

The Prosecution requested that in case of guilt the accused is to be deemed to be a recidivist as per articles 49, 50 and 289 of the Chapter 9 of the Laws of Malta after having been found guilty by other judgements given by the Court of Magistrates which judgements are now definitive and may not be changed.

Having seen the order of the Attorney General for these proceedings to be heard summarily by this Court sitting as a Court of Criminal Judicature and that the defendant had no objection to the case being so heard.

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.

Regarding the penalty to be meted out the Court took into consideration on the one hand the nature of the offences of which defendant is being found guilty and his conviction sheet, and on the other hand his cooperation with the police and his admission at the earliest stage of these proceedings.

Wherefore the Court, after having seen sections 49, 50, 261(c), 267, 279(a) and 289 of Chapter 9 of the Laws of Malta, on his admission finds defendant guilty of the charges brought against him and condemns him to sixteen months imprisonment.

DR. DOREEN CLARKE
MAGISTRAT