



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

**Magistrate Dr. Francesco Depasquale LL.D., LL.M. (IMLI)**

**Kumpilazzjoni: 7/2019**

**The Police**  
**(Inspector Sarah Zerafa)**

**Vs**

**Mohamed Omar Bare**

Today, the 03rd January 2019

**The Court;**

Having seen the charges laid against:

Mohamed Omar Bare of 24 years, son of Omar Mohamed and Rora, born in Somalia on the 7<sup>th</sup> July 1994 and residing at 122, Virginia, Fl 1, Triq Sant Antnin, Fgura and holder of ID Card No: 121593A.

Charged with having on 1st January 2019 at around 20.00 hrs in 122, Flat 1, Triq Sant' Antnin Fgura;

- 1. Without intention to kill or to put the life of any person in manifest jeopardy, caused grievous bodily harm on Hassan Osmail Abdi as certified by Dr H Nelson Reg No 5872 of the Paola Health Centre.**

The Court is requested to provide for the security of Hassan Osmail Abdi by applying the requisits of article 412C of Chapter 9 of the Laws of Malta.

The Court ordered proceedings to be continued in English Language.

At this point, Mohamud Yasin Ali (resident permit MT 9606563) confirmed on oath that he will translate from Somali Language to English Language and vice versa.

The Prosecuting officer Inspector Sarah Zerafa read and confirmed the charges on oath and presented the following documentation:-

- Copy of medical certificate
- Statement
- Conviction Sheet
- NPS Report
- PIRS Report

The accused declared that the accusations were taken as read and that there is no objection for the arrest.

At this stage the examination of the accused was carried out.

The accused pleaded guilty to the charges brought against him.

The Court gave him time to reconsider his admission and the accused once again reconfirmed his admission.

The prosecution informed the Court that Hassan Osmail Abdi informed them that he was withdrawing any complaint against the accused and was not pursuing the case against him.

Nevertheless the prosecution had to proceed with the case in view of the accusations as made.

The Court,

Saw the Legislation namely Act 216 and 412 C of Chapter 9.

Having heard the admission of the accused.

Having heard the prosecution advise the Court that the injured party namely Hassan Osmail Abdi informed them that he did not wish to proceed with the case.

Having understood the circumstances of the case as explained and having seen admission of the accused, the Court finds him guilty of the accusations made and condemns him to a period of imprisonment of 1 year suspended for 3 years, as well as orders him not to communicate in any way with Hassan Osmail Abdi in terms of Section 412 C for a period of 1 year.

**Magistrate Francesco Depasquale**

**Rita Sciberras  
Deputy Registrar**