



**COURT OF MAGISTRATES (GOZO)  
AS A COURT OF CRIMINAL JUDICATURE**

**Magistrate Dr. Joseph Mifsud B.A. (Legal & Int. Rel.),  
B.A. (Hons), M.A. (European), LL.D.**

**The Police  
(Inspector Bernard Charles Spiteri)**

**vs.**

**Mursal Aden Diriye**

Number: 44/2018

Today 11<sup>th</sup> of July 2019

The Court,

Having seen the charges brought against Mursal Aden Diriye, holder of identity card number 111567(A), aged twenty four (24) years, son of Aden and Basra nee' Abokor born at Nigeria, on the 5<sup>th</sup> October 1994 and resides at GGE 5, Aries Court, Triq is-Sajjied, Zebbug, Ghawdex charged with having on the 23<sup>rd</sup> December 2018, at about 9.15p.m., whilst he was at Shore Street, Xlendi limits of Munxar, Gozo and/or in the vicinities;

1. Without the intent to kill or put the life in manifest jeopardy, caused grievous injuries on the person of Idris Hassan Roble as certified by Dr. Peter Paul Vassallo M.D. and this in breach of Article 214 and 216 of Chapter 9;

2. And also with having on the same date, time, place and circumstances at night time, disturbed the repose of the inhabitants by rowdiness or bowling, or in any other manner, in breach of Article 338(m) of Chapter 9;
3. And also with having on the same date, time, place and circumstances wilfully disturbed the public good order or the public peace, in breach of Article 338(dd) of Chapter 9;
4. And also with having on the same date, time, place and circumstances failed to observe the conditions imposed by the Court of Magistrates (Gozo) presided by Magistrate Dr. Paul Coppini LL.D. on the 7<sup>th</sup> December 2018 that of being indoors between 7.00p.m. and 7.00a.m. and that of not committing any other crime of a voluntary nature and this is in breach of Article 579(2) of the Chapter 9 of the Laws of Malta;

The Court is being asked to revoke the bail conditions of Mursal Aden Diriye and order his re-arrest, whilst the sum stated in the bail bond shall be forfeited to the Government of Malta as stipulated in Article 579 (2)(3) of the Chapter 9 of the Laws of Malta;

The Court is being kindly requested, where it deems expedient, in order to provide for the safety of Idris Hassan Roble or for the keeping of the public peace, in addition to, or in lieu of the punishment applicable to the offence, require the offender to enter into his own recognizance in a sum of money to be fixed by Court;

The Court is also being kindly requested, for the purpose of providing for the safety of Idris Hassan Roble, to issue a Protection Order under 412C of the Chapter 9;

Having seen the documents exhibited and all the acts of the proceedings.

Having seen the Articles of Law sent by the Attorney General on the 27<sup>th</sup> June 2019 (*a fol.* 101):

- (a) Articles 214, 215 and 218 of the Crminal Code, Chapter 9 of the Laws of Malta;

- (b) Article 579 (2) of the Criminal Code, Chapter 9 of the Laws of Malta;
- (c) Article 579 (3) of the Criminal Code, Chapter 9 of the Laws of Malta;
- (d) Articles 382A, 383, 384, 385, 386, and 412C and 412D of the Criminal Code, Chapter 9 of the Laws of Malta;
- (e) Articles 17, 31, 532A, 532B and 533 of the Criminal Code, Chapter 9 of the Laws of Malta;

Having seen that, during today's sitting the Articles of Law sent by the Attorney General on the 27<sup>th</sup> June 2019 (*a fol.* 101) were read out, during which sitting the accused declared that he does not object for his case to be tried and decided summarily;

Having heard all the evidence brought forward by the Prosecution.

Having heard the Prosecution declare that it has no further evidence to produce in this case.

Having heard, during today's sitting, the accused plead guilty to the charges brought against him which guilty plea was reaffirmed by the accused after having been given sufficient time according to Law to reconsider the same.

Having heard submissions regarding punishment.

### **Considers**

That in view of the guilty plea filed by the accused, the Court finds the accused guilty as charged.

Wherefore, the Court, after having seen Articles 214, 215, 218, 579(2)(3) of the Criminal Code, Chapter 9 of the Laws of Malta, on his admission, finds the accused guilty of all the charges brought against him and condemns him to eight (8) months imprisonment.

As regards the fourth (4<sup>th</sup>) charge brought against the accused, in view of the fact that the case in names "The Police versus Mursal Aden Diriye et" (Case number 40/2018), was decided on the

seventh (7<sup>th</sup>) January 2019, the Court condemns him to a fine of two hundred Euros (€200).

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**Dr. Joseph Mifsud**  
**Magistrate**

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**Mary Jane Attard**  
**Deputy Registrar**