



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

Magistrate Dr. Doreen Clarke LL.D.

Today, the 20th February, 2020

**The Police
(Inspector Godwin Scerri)**

vs

Kinteh Bakary

Drugs number 234/2019

The Court

Having seen the charges brought against the said Kinteh Bakary, 39 years, son of Lamin Kinde and Binda nee' Fati, born in Kinda Kunda in Gambia on the 01st January 1980, residing in St. Paul's Bay and holder of Italian travelling document number MD0008579.

Charged with having on the 26th August 2019 at around 10:30am and before in St. Paul's Bay:-

- Had in his possession the whole or any portion of the plant cannabis in terms of Article 8(d) of Chapter 101 of the Laws of Malta, which drug was found in circumstances denoting that it was not intended for his personal use.

- And having on the same date, place and circumstances, had in his possession the whole or any portion of the plant Cannabis in terms of Article 8(a) of Chapter 101 of the Laws of Malta.

Having seen the Order of the Attorney General issued in virtue of Section 22 of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta) for this case to be heard summarily by this Court sitting as a Court of Criminal Judicature.

Having seen that during the sitting held today 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 heard the evidence and submissions of the parties.

Having seen the acts of the proceedings.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proven.

With regards the penalty to be meted out the Court Court took into consideration the nature of the offences of which the defendant is being found guilty as well as the nature and quantity of the drugs as well as defendant's admission.

Wherefore the Court after having seen sections 8(a)(d), 22(1)(a) u 22(2)(b)(i) of Chapter 101 of the Laws of Malta and Regulation 9 of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charges brought against him and condemns him to **six (6) months imprisonment** and to **a fine of five hundred Euros (€500)**. Furthermore and by application of section 533 of Chapter 9 of the Laws of Malta the Court is also ordering the defendant **to pay the Registrar of this Court the sum of eight hundred fifty five Euros and fifty cents (€855.50)** which sum represents expenses incurred in the appointment of experts; payment of the said amounts is to be

effected within six months. The Court is also ordering **the forfeiture, in favour of the Government of Malta, of the sum of sixty two Euros and eleven cents (€62.11)** seized by the police.

In conclusion the Court is **ordering the destruction of the all objects exhibited as Dok GS2**, at the charge of the Registrar of this Court, who shall draw up a *proces verbal* documenting the destruction procedure. The said process verbal shall be inserted in the records of these proceedings not later than fifteen days from the said destruction.

DR. DOREEN CLARKE
MAGISTRAT