



MALTA

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

MAGISTRATE DR IAN FARRUGIA LL. D

Today 3rd of March, 2020

**The Police
(Inspector Collin Sheldon)**

Vs

Iseyas Araya Siem

The Court;

Having seen the charge brought against Iseyas Araya Siem, holder of Maltese residence permit 102582A, charged on the 7th January 2019, in the early hours at Surfside, Tower Road, Sliema;

- 1) Without the intent to kill or out the life of any person in manifest jeopardy caused grievous bodily harm to Ibrahim Mohammed Shalh Ahdem Id no 78742A as certified by Dr Danielle Lauretta Agius Med Reg No 3939 in breach Art 216(A) (1)(b) of the Chapter 9 of the laws of Malta.

Having heard prosecuting officer on oath;

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charges brought against him during today's sitting and his insistence on such guilty plea after being given time according to law to reconsider;

Having considered the accused's declaration as minuted in today's sitting, following his guilty plea, that he had enough time to think and reconsider such guilty plea, that he clearly understood the nature of the charges brought against him, and that he understood clearly that his guilty plea, as pointed out by this Court, was to lead to serious consequences in terms of punishment;

Having heard submissions by the prosecution and the defence in terms of punishment;

Considers;

That in view of the accused's guilty plea to the charge proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In terms of punishment, this Court is taking into particular consideration the fact, on the one hand, that the accused pleaded guilty at the earliest possible opportunity in these proceedings and on the other, the serious nature of the charge proffered against him.

The court is taking into consideration the declaration minuted in today's sitting by Ibrahim Mohammed Shalh Adem in the sense that he was forgiving the accused for this incident and that he was not interested in these proceedings.

Considers;

Decide.

THEREFORE, THE COURT, having seen Articles 214, 216(1)(b) and 28A of Chapter 9 of the Laws of Malta, finds and declares offender **Iseyas Araya Siem** guilty as charged and condemns him to a term of imprisonment of **twenty one (21) months suspended for a term of three (3) years** in terms of Article 28A of Chapter 9 of the Laws of Malta.

The Court explained to the accused his responsibilities under Articles 28A and 28B of Chapter 9 of the Laws of Malta.

Dr Ian Farrugia LL.D
Magistrate

Marica Mifsud
Deputy Registrar