



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

**MAGISTRATE
DR. NEVILLE CAMILLERI B.A., M.A. (Fin. Serv.), LL.D.**

Sitting of the 26th. April 2020

**The Police
(Inspector Jonathan Ransley)**

vs.

Abdiaziz Hassan Ibrahim

Case Number 153/2020

The Court,

After having seen the charges brought against the accused **Abdiaziz Hassan Ibrahim**, of twenty-nine (29) years, born in Somalia, on the 01st. of February 1991, son of Hasan u Khadra neé Dahir, with no fixed address and holder of Identity Card Number 82359(A)

accused with several acts committed by himself, even if at different times, constituted violations of the same provision of the law and were committed in pursuance of the same design:

1. on the 21st. of April 2020 at around 05:30pm from the "Convenience Store", situated at Princess Elizabeth Street, Ta' Xbiex, committed theft of alcohol bottles and/or other items to the detriment of Neal Sammut and/or other persons;
2. on the 23rd. of April 2020 at around 09:50am from shop "Ta Gomu", situated at Bacir Street, Msida, committed theft of mobile phone and/or other which theft is aggravated by value, which amount does not exceed two thousand, three hundred and twenty-nine Euro and thirty-seven cents (€2329.37) to the detriment of Teohar Gjorgiev and/or other persons;
3. on the 24th. of April 2020 at around 08:25am from shop "87, Oriental BD", situated at Rue D'Argens, Msida, committed theft of alcohol bottles and/or other items to the detriment of Sajib Das and/or other persons;

also being charged with, during the month of April 2020:

4. committed a crime of voluntary nature during the operative period of a conditional discharge as per Article 22 of Chapter 446 of the Laws of Malta, imposed on him by Magistrate Dr. Claire Stafrace Zammit LLD, on the 28th. of November 2019 and which condition was awarded for a period of six months.

The Court is being requested to deal with the accused as a recidivist as per Articles 49, 50 and 289 of Chapter 9 of the Laws of Malta by judgements issued by the Court of Magistrates (Malta) which judgments have become absolute.

Having examined all the documents forming part of the proceedings.

Having seen the consent given by the Attorney General for this case to be dealt with summarily (Doc. "JR 1" - *a fol.* 8).

Having heard the accused inform the Court that he did not object to this case being dealt with summarily (*a fol.* 7).

Having heard the accused plead guilty to all the charges brought against him, notwithstanding the fact that the Court in terms of Section 453(1) of Chapter 9 of the Laws of Malta warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea.

Considers

That, as a consequence of the admission of the accused of all the charges brought against him, the mentioned charges brought against the accused have been sufficiently proven.

With regards to the punishment to be inflicted against the accused, the Court will be taking into consideration various factors, including: the nature of the charges brought against the accused, the guilty plea of the mentioned charges at an early stage of these proceedings and the conviction sheet (Doc. "JR 3" - *a fol.* 10) of the accused.

Therefore, the Court, after having seen and considered

Articles 18, 49, 50, 261(c), 267, 279(a), 284 and 289 of Chapter 9 of the Laws of Malta,

and

Article 23(1)(a) of Chapter 446 of the Laws of Malta,

finds the accused Abdiaziz Hassan Ibrahim guilty of all the charges brought against him and condemns him to a period of fourteen (14) months imprisonment.

Dr. Neville Camilleri
Magistrate

Ms. Christine Farrugia
Deputy Registrar