



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

**Magistrate Dr Monica Vella LL.D., M.Jur.**

**Case no: 46/2020**

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

**Vs**

**Rubben Fuachie**

**Today, 05th November 2020,**

The Court;

Having seen the accusations brought against:

**“Rubben Fuachie**, holder of Italian Questura Di Caserta number I0759212A

**Charged** with having on the 4th November 2020, at about 7.15p.m., whilst being inside Ta’ Menzja Court, Flat 3, Marsilja Street, Sannat 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 Emmanuel Kwame Kyerkdo as certified by Dr. Josette Rapa Hili M.D. Reg. No. 2249 and this in breach of article 214, 216 and 218 of Chapter 9 of the Laws of Malta.
2. **And also with having on the same date, time, place and circumstances** uttered insults or threats to the person of Emmanuel Kwame Kyerkdo not otherwise provided for in the Criminal Code and this in breach of articles 339(e) of Chapter 9.

The Court is being kindly requested, where it deems expedient, in order to provide for the safety of Emmanuel Kwame Kyerkdo 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 the injured party, to issue a Protection Order under 412C of the Chapter 9.

Therefore, the Court is humbly requested to investigate the case according to the law.”

Having seen all documents exhibited by the Prosecution;

Having heard the guilty plea of the accused, as duly registered in today's sitting being the first sitting of these proceedings;

Having seen the records of the case;

Having heard the submissions made by the Prosecution and by the Defence;

Having duly considered all the records of the case and all submissions made;

Having explained to the accused the charges brought against him;

Having heard the accused plead guilty to said charges in today's sitting, and this in the presence of Defence Counsel Dr. Joseph Grech;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider his guilty plea and having heard the accused reconfirm his guilty plea during his arraignment before this Court and thus said guilty plea was registered in the acts of today's sitting, the 05<sup>th</sup> November, 2020;

Having heard the injured party Emmanuel Kwame renouncing to all charges against the accused;

Considers:

That thus upon such guilty plea the Court can only find the accused guilty as charged;

That in pronouncing its judgement the Court is hereby taking into consideration the fact that the accused registered an early guilty plea, that the accused collaborated with the Police, and the nature and gravity of the accusations with which he is charged;

Thus, the Court, after having seen article 214, 216, 218 and 339(e) of Chapter 9 of the Laws of Malta and Article 22 of Chapter 446 of the Laws of Malta, deals with the accused by conditionally discharging him with the specific condition that he does not commit any other offence within a period of three (3) years from today.

The Court explained to the accused in simple and clear language his obligations arising out of this judgement and the consequences should he not abide by the said judgement.

*(ft) Magistrate Dr. Monica Vella LL.D., M.Jur*

(ft) Diane Farrugia  
Deputy Registrar