



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR. GABRIELLA VELLA B.A., LL.D.**

Case No. 729/2021

**The Police
(Inspector Jonathan Ransley)**

Vs

Mickey Brian Andersen

Today, 9th May 2022

The Court,

After considering the charges brought against Mickey Brian Andersen, son of Per and Lonni neè Poulsen, born in Denmark on the 21st September 1982, residing at 23, Flat 4, Triq San Karlu, Sliema and holder of Maltese Identity Card Number 257117A, of having on the 30th September 2021, between 23:00hrs and 00:00hrs in front of Hammett's Bar, Triq ix-Xatt, Sliema and/or other areas on these Islands:

1. Without the intent to kill or to put the life of any person in manifest jeopardy, caused grievous bodily harm to the body or health of another, Grigorios Kalampalikis, as certified by Dr. Cauchi, Med. Reg. No. 6310, Mater Dei Hospital, in violation of Section 216 of Chapter 9 of the Laws of Malta;
2. Furthermore, wilfully disturbed the public good order or the public peace by shouting and fighting in violation of Section 338(dd) of Chapter 9 of the Laws of Malta;

After considering the documents submitted by the Prosecution a folios 3 to 7 of the records of the proceedings;

After having heard the accused plead guilty to the charges brought against him¹, which guilty plea was reiterated by him and this also after the Court, in terms of Section 392A(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn

¹ Folio 15 of the records of the proceedings.

manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

After having heard submissions regarding punishment by the Prosecution and Defense Counsel and taken note of the fact that both the Prosecution and Defense Counsel submitted that a conditional discharge would be an adequate punishment in the circumstances of this case;

After having considered all the records of the proceedings;

Considers:

The accused is being charged with having on the 30th September 2021, between 23:00hrs and 00:00hrs in front of Hammett's Bar, Triq ix-Xatt, Sliema and/or other areas on these Islands: (1) without the intent to kill or to put the life of any person in manifest jeopardy, caused grievous bodily harm to the body or health of another, Grigorios Kalampalikis, as certified by Dr. Cauchi, Med. Reg. No. 6310, Mater Dei Hospital, in violation of Section 216 of Chapter 9 of the Laws of Malta; (2) furthermore, wilfully disturbed the public good order or the public peace by shouting and fighting in violation of Section 338(dd) of Chapter 9 of the Laws of Malta.

The accused pleaded guilty to all the charges brought against. In view of said guilty plea, the Court deems it fit to find the accused so guilty of the charges brought against him.

In so far as concerns punishment the Court took into account the nature of the charges brought against the accused but it also took into account the fact that the accused has a clean conviction sheet and that he registered a guilty plea during the early stages of these proceedings.

Now therefore, after having read and considered Sections 17(d), 216(1)(b) and 338(dd) of Chapter 9 of the Laws of Malta, the Court finds the accused, upon his own admission, guilty of the charges brought against him. Having regard to the circumstances of the case, including the nature of the charges brought against the accused and the character of the accused, who has a clean conviction sheet, and deeming that it is not expedient to inflict punishment and a Probation Order, a Community Service Order or a Combination Order are not appropriate in this case, in terms of Section 22 of Chapter 446 of the Laws of Malta, the Court is discharging the accused subject to the condition that he does not commit another offence during the period of one (1) year from date of this judgement.

In terms of Section 22(3) of Chapter 446 of the Laws of Malta, the Court explained to the accused in ordinary language that if he commits another offence during the period of one (1) year conditional discharge set above, he will be liable to be sentenced for the original offences.

In terms of Section 392A(2) of Chapter 9 of the Laws of Malta, the Court orders that that within six (6) working days from date of this judgement, the Attorney General shall be given access to a scanned copy of the records, together with access to a scanned copy of the judgment.

MAGISTRATE

DEPUTY REGISTRAR