



MALTA

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

MAGISTRATE DR IAN FARRUGIA LL.D

Today 27th June 2022

**The Police
(Inspector Roderick Spiteri)**

Vs

**Asha Harold Quaye,
Wihelmin Ashiaku Quaye,
Omar Abdel Ghani**

The Court;

Having seen the charges brought against **Asha Harold Quaye**, identity number:**180636A**, **Wihelmin Ashiaku Quaye** identity number:**208411A**, **Omar Abdel Ghani**, identity card number 359902L, for having, on the Maltese Islands on the 29/10/2020:

1. Without intent to kill or to put the life of Vincenzo Iudicelli ID 216796A and /or any person in manifest jeopardy, caused grievous bodily harm to the body or health of Vincenzo Iudicelli ID 216796A and/or any person as certified by DR. Cheryl Kayne Cachia Med Reg 4388 and/or any other medical professional.

2. Uttered insults or threats with words and/or any other manners towards Vincenzo Iudicelli ID 216796A and/ or any other person, or being provoked,carried your insult beyond the limit warranted by the provocation.
3. Attempted to use force against Vincenzo Iudicelli ID 216796A and/or any person with intent to insult, annoy or hurt such person or others.
4. Wilfully disturbed the public good order or the public peace.

Having heard prosecuting officer on oath;

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

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

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

Having seen today`s minute wherein the prosecution, on oath, declared that the first charge was formally being limited to article 216 of chapter 9 of the laws of Malta and that the three accused should benefit from the defense of provocation in terms of article 227(a).

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

Considers;

That in view of the accuseds` guilty plea to all charges proffered against them, 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 three accused guilty as charged.

In terms of punishment, this Court is taking into consideration the fact, that the three accused pleaded guilty at the earliest possible opportunity in these proceedings, that the injured party had declared that he was renouncing to the criminal action, and their clean conduct sheet.

Conclusion.

THEREFORE, IN VIEW OF THE ABOVE THE COURT, having seen Articles **17, 28A, 31, 216, 227(a), 338(dd), 339(e)(d) of Chapter 9 of the Laws of Malta**, finds and declares offenders **Asha Harold Quaye, Wihelmin Ashiaku Quaye, Omar Abdel Ghani** guilty, upon their own admission, of all charges brought against them, and condemns them to a term of imprisonment of three (3) months, which will however remain suspended for a period of three (3) years in terms of Article 28A of Chapter 9 of the Laws of Malta.

The Court explained to all three accused, in clear terms, their responsibilities under this sanction.

Dr Ian Farrugia LL.D
Magistrate

Maria Grech Cardona
Deputy Registrar