



**MALTA**

**COURT OF MAGISTRATES (MALTA)  
AS A COURT OF CRIMINAL JUDICATURE  
MAGISTRATE DR IAN FARRUGIA LL.D**

**Today 25<sup>th</sup> May 2022**

**The Police  
(Inspector Joseph Xerri)**

**Vs**

**Christopher John Alexander Thorpe**

**Comp No : 495/2019**

**The Court;**

Having seen the charges brought against **Christopher John Alexander Thorpe**, holder of Maltese ID Card Number **0059601A** and British Passport number **309393641**, charged with having on the 29<sup>th</sup> June, 2019 at around four in the morning (0400hrs) inside the Bar Nordic in Triq Santa Rita, San Ġiljan;

1. Without the intent to kill or to put the life of **Ivica Kuzmanovikj** in manifest jeopardy, caused harm to their body or health, which harm is of a grievous nature; *Articles 214, 215, 216(1)(b) and 218(1)(b) of Chapter 9 of the Laws of Malta*;
2. Attempted to use force against **Ivica Kuzmanovikj** with intent to insult, annoy or hurt; *Article 339(1)(d) of Chapter 9 of the Laws of Malta*;
3. Wilfully disturbed the public good order or the public peace; *Art. 338 (dd) of 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 examined the testimonies of witnesses produced and all the evidence;

Having seen the articles of the Attorney General as indicated in the referral of the 27.10.2021, and the accused's consent of the 07.02.2022, for proceedings to proceed and be decided summarily;

**Considers;**

That this case emanated from an alleged altercation between the accused and a certain Mr. Ivica Kuzmanovikj on the night in question. Although the prosecution brought forward evidence, legitimately

intended to sustain its case, these proceedings encountered a logistical hurdle in that not only no eyewitnesses of the alleged incident could be traced, but above all, the alleged injured party could never testify as he had left the islands and the authorities could not identify his whereabouts.

This left the case of the prosecution lacking and in terms of law, this translated into a case which the prosecution managed to prove, only on a balance of probabilities.

**Conclusion;**

**THEREFORE, IN VIEW OF THE ABOVE, PRECISELY DUE TO THE INSUFFICIENCY OF THE EVIDENCE PRODUCED, THE COURT FINDS AND DECLARES ACCUSED NOT GUILTY AND ACQUITS HIM ACCORDING TO LAW.**

Dr Ian Farrugia LL.D  
Magistrate

Marica Mifsud  
Deputy Registrar