



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

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

**The Principal Immigration Officer  
[Inspector Frankie Sammut]**

**vs**

**Subo Sarker**

**Today, 10<sup>th</sup> October 2022,**

The Court;

Having seen the accusations brought against:

**“Sarker Subo**, holder of Bangladeshi Passport no EG 0790865.

And charge him with having on the 9<sup>th</sup> October 2022 and in the previous days in Malta, while having in his possession two documents issued by a competent authority, that is a Bangladeshi passports bearing numbers A00179678 issued on Islam Tanvir and EB 0701833 issued in the name of Hasan Mehedi, had transferred this document to another person or received this document which was transferred to him by another person (Cap 61, Sec 3 of the Laws of Malta).

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

Having seen all documents exhibited by the Prosecution;

Having seen the records of the case;

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. Robert Galea;

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 10<sup>th</sup> October 2022;

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

**Considers:**

**The Facts of the Case**

This case relates to the charge against the accused of possessing two Bangladeshi passports bearing numbers A00179678 issued on Islam Tanvir

and EB0701833 issued in the name of Hasan Mehedi and this in breach of Article 3 of Chapter 61 of the Laws of Malta.

**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;

**Decides:**

Thus, the Court, after having seen Article 3 of Chapter 61 of the Laws of Malta hereby finds the accused guilty as charged and condemns the accused to a term of imprisonment of two (2) years which by the application of Article 28A of Chapter 9 of the Laws of Malta is being suspended for two years.

The Court explained to the accused in simple and clear language his obligations arising out of this judgement.

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

(ft) Angelo Buttigieg

Deputy Registrar