



**In the Court of Magistrates (Malta)**  
**As a Court of Criminal Judicature**

**Magistrate Dr. Yana Micallef Stafrace LL.D.**

Police

(Inspector Charlotte Curmi)

Vs

Ovi Tabi

3<sup>rd</sup> June 2024

The Court

Having seen the charges brought against Ovi Tabi, ID 9000205AM born in Nigeria and residing 7, 'Kingsland A' Flt 7A, Triq Barnaba, ST. Paul's Bay that on the 30<sup>th</sup> of March, 2019 at about 08.49 hrs at Lourdes Lane, St. Julian's.

1. Whilst driving vehicle no OQZ 039 you were involved in a traffic accident, where it occurred that damage was done to another vehicle, thus you collided with vehicle no DBJ 923 and failed to stop, and when required you failed to give your particulars and details of the vehicle you were driving according to law, and / or you failed to report this incident to the Police or the Local Warden.

2. Also through imprudence, negligence or unskillfulness in your trade or profession, or through non-observance of any regulation, you caused fire or any damage, spoiled or injured, when you collided with another vehicle NO DBJ 923 and involuntarily you caused damages on the mentioned vehicle to the detriment of Erica Andrews.

The Prosecution requests that the mentioned person be disqualified from holding any driving licenses for a period of time that the court deems fit.

Having seen Articles 328(d) Chap 9 , MVR sec 67 LS 65.11

Having seen the witnesses produced by the prosecution

Having seen that the accused did not testify

Having seen the acts and documents of the proceedings

Having seen the oral submissions

### **Considerations of the court**

WPC 371 gave evidence by means of an affidavit regarding her involvement in the proceedings

Erica Andrews gave evidence that she did not witness the impact on her vehicle.

Christopher Ciappara gave evidence that he did not know the period in which Ovi Tabi was employed by Rimus Group  
Dok A , CCTV could not be viewed by the court

### **Considerations of the court**

There was no evidence proffered connecting Ovi Tabi to the accident in question. No one identified him as the driver, the CCTV could not be viewed and the stills produced were not confirmed on oath . There is definitely no evidence linking Ovi Tabi to the accident to the degree required in a Criminal Court and therefore he cannot be found guilty of the charges .

## **Decide**

Having seen Articles 328(d) Chap 9 , MVR sec 67 LS 65.11 the court acquits Ovi Tabi of all charges brought against him.

**Magistrate Dr Yana Micallef Stafrace LL.D.**

**Doris Serpina Sciberras**

**Deputy Registrar**