



Qorti tal-Magistrati (Malta)
Bhala Qorti ta' Gudikatura Kriminali
Magistrat Dr. Yana Micallef Stafrace LL.D.

Pulizija

(Spettur Charlotte Curmi)

Vs

Matthew Galea

Illum 4 ta' Novembru, 2024

Il-Qorti

Rat l-imputazzjonijet fil-konfront ta' Matthew Galea bin Alfred u Michelle nee Farrugia imwieled fil-10/10/2001 u joqghod 40, St Nicholas, Triq il-Muzew, Dingli. ID 0406001L.

Billi int akkuzat talli fil-15 ta' Novembru, 2022 ghall-habta ta' 18:30 hrs Fi Mriehel Bypass, Mriehel, soqt vettura b'numru ta' registrazzjoni EBQ567.

1. U talli soqta l-imsemmija vettura b`manjiera traskurata, KAP 65 Art 15(1) (a) (2)
2. U b`nuqqas ta` hsieb u bi traskuragni jew b`nuqqas ta` hila fl-arti jew professjoni tieghu jew b`nuqqas ta` tharis tar-regolamenti, tat-traffiku involontarjament ikkagunajt offiza gravi fuq il-persuna Giorgio Belluardo Giovatto minghajr il-konsegwenzi msemmijin fl-Artikolu 218 tal-Kapitolu 9 tal-Ligijiet ta` Malta skond kif iccertifika Dr. C. Refalo MD mill-MDH. Kap 9 Art 226 (1)(b)

Il-Prosekuzzjoni titlob li tigi skwalifikat/a mill-licenzji kollha tieghek tas-sewqan.

Il-Qorti hija gentilment mitluba li f`kaz ta` htija minhabba li tinfliggi il-piena skont il-ligi, tnaqqas il-punti mill-licenzji tas-sewqan hekk kif stabbilit mill-L.S. 65.18 Art 36B u fil-65.18 Sitt Skeda.

Rat l-artikoli 226(1)(b) Kap 9 Art 15(1) (a)(2) Kap 65 L.S. 65.18 Art 36B u fil-L.S. 65.18 Sitt Skeda tal-Ligijiet ta` Malta

Semghet ix-xhieda kollha prodotta mill-prosekuzzjoni

L-imputat ghazel li ma jixhidx

Rat l-atti kollha u x-xhieda u dokumentazzjoni kollha prodotta

Semghet it-trattazzjoni

Ikkunsidrat

PS 1128 Glenn Sammut xehed permezz ta` affidavit.

Gorgio Ballaurdo Giovatto xehed hekk:

Pros: You reported something to the police?

Xhud: No when it was the accident, the ambulance.

Pros: We were`nt there, can you explain the court what happened?
What were you driving? Where and when?

Xhud: OK, I was stuck in the traffic in Bypass.

Pros: Where where located?

Xhud: From Attard till Birkirkara the bypass from B`Kara till Qormi
where there is Pace Mercieca that place Mriehel Bypass.

Pros: And you were in direction what were you driving sir?

Xhud: I`m driving I`m driving my car, the Smart CCC 993, the plate
number and I was stuck in the traffic because it was the
queue and.

Qorti: You were going from where to where?

Xhud: I`m going from to Qormi from Attard to Qormi and there I
was stuck in the traffic I was because it was queue and
someone hit me by another car.

Qorti: How did he hit you?

Xhud: From from behind. And I start to feel pain and I cannot move and I called the ambulance that's it and when when the ambulance got me, I don't remember all the rest because I was in the hospital.

Pros: You said someone from behind,

Xhud: Yes.

Pros: Do you remember whether it was a car or a bike?

Xhud: It was a van Nissan and the guy come to me and ask me what happened?

Qorti: Do you recognise the man who spoke to you in this room?

Xhud: Yes, that guy.

Qorti: Ix-xhud indika lil imputat.

Pros: And as a consequence of that car hitting you, what happened to you?

Xhud: I went to Hospital and I stay for 3 days.

Pros: And how long you were away from work?

Xhud: Because I'm self-employed, I stay 15 days more or less because I start to feel pain in my back and everything I will go to the doctor for therapist and everything I have the receipt if you need I don't know I have the report here for the from the hospital. I don't know if you need them..

Qorti: Are you still going to a doctor regarding this accident Are you still going to a doctor regarding this accident?

Xhud: Till now, no.

Qorti: Till when did you stop seeing a doctor regarding the accident? Less than a month? More than a month how long?

Xhud: More than a month because you have all the therapists and they finished the therapist about around six months something like that.

Pros: No further questions, your honour.

Qorti: Cross examination.

Adv: Yes so you was in Imriehel bypass, correct?

Xhud: Yeah,

Adv: There was traffic you drive, you stop, now and when the impact happened, you got out of the car or no?

Xhud: No No, because I feel pain and I and I asked the guy please call police because I feel pain you it was it was like this I tried to move but I remember I feel pain.

Avu: You did not go out of the vehicle so?

Xhud: No.

Adv: If I suggest to you that you didn't get off the vehicle, what would you say? You did go out of the vehicle? What would you say?

Xhud: No no no.

Avu: And then you forgot you forgot everything and you woke up in hospital?

Qorti: No, that's. Not what you said.

Xhud: No the ambulance got me.

Avu: M`ghandix iktar domandi sinjura.

Ikkunsidrat

X-xhud Gorgio Ballaurdo Giovatto ma tagha l-ebda data meta sehh l-incident. Dan ifisser li ma hemmx il-grad ta' provi rikjesti fil-kamp kriminali u bhekk l-imputazzjonijiet odjerni mhux ippruvati.

Decide

Ghal dawn il-motivi wara li Rat l-artikoli 15(1)(a) (2) tal Kap 65 u Artikolu 226(1)(b) tal-Kap 9 L.S. 65.18 Art 36B u fil-L.S. 65.18 Sitt Skeda tal-Ligijiet ta' Malta

ma ssibx lil Matthew Galea hati tal-imputazzjonji fil-konfront tieghu u tilliberah minn kull htija u piena.

**DR. YANA MICALLEF STAFRACE LL.D.
MAGISTRAT**

**Doris Serpina Sciberras
Deputat Registratur**