



**IN THE COURTS OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
Magistrate Dr. Monica Vella LL.D., M. Jur.**

The Republic of Malta

VS

Abdulahi Hassan Ali

Compilation number: 4528/2024

Today, 25th July, 2025

The Court;

Having seen the charges brought against:

Abdulahi Hassan Ali, twenty-nine (29) years old, son of Hassan Ali and Ajabo Adow, of Somalian Nationality, born in Mogadishu, Somalia, on the twenty-first (21st) of October of the year one thousand nine hundred and ninety-four (1994), residing at Hal-Far Village, Hal-Far, and holder of a Maltese identity card with the number 106739A,

Accused of having on the twenty-sixth (26th) of May of the year two thousand and twenty-four (2024), sometime between ten in the morning

(10:00) and one in the afternoon (13:00), in Hal-Far Tent Village, Hal-Far and/or in other places in these islands:

1. Without the intent to kill or put the life of any person in manifest jeopardy, caused harm to the body or health of Mohamed Mohmoud Omar which harm is of a grievous nature and was committed with a cutting or pointed instrument;
2. And furthermore that, on the same date, time, place and circumstances uttered insults or threats not otherwise provided for in this code, or being provoked, carried his insult beyond the limit warranted by the provocation;
3. And furthermore that, on the same date, time, place and circumstances, attempted to use force against Mohamed Mahmoud Omar with intent to insult, annoy or hurt Mohamed Mahmoud Omar or others, unless the fact constitutes some other offence under any other provision of this Code;
4. And furthermore, if found guilty, is deemed to be a recidivist as stipulated in Articles 49 and 50 of Chapter 9 of the Laws of Malta, and this after being sentenced for any offence by a judgement, which has become res judicata.

This Court was humbly requested to provide security for Mohamed Mahmoud Omar as the Court sees fit and necessary and under all the conditions that the Court deems appropriate, to issue an order of protection in terms of Article 412C of Chapter 9 of the Laws of Malta.

The Court was requested, if deemed appropriate, to issue a treatment order as per Article 412D of Chapter 9 of the Laws of Malta.

The Court was also humbly requested that in the case of guilt, in addition to the punishment in accordance with the law, to apply Article 15A of Chapter 9 of the Laws of Malta.

The Court was also humbly requested that in the case of guilt, in addition to the punishment in accordance with the law, to order the accused to pay the costs incurred in terms of Article 532B and/or 533 of the Criminal Code, Chapter 9 of the Laws of Malta.

The Court was also humbly requested that in the case of guilt, in addition to the punishment in accordance with the law, to apply Articles 382, 383, 3384 and 385 of Chapter 9 of the Laws of Malta.¹

Having explained to the accused the charges brought against him;

Having heard the accused plead guilty to said charges in the sitting of the 15th of July 2025 and this in the presence of and as assisted by Defence Counsel Dr. Mark Anthony Mifsud Cutajar²;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider his guilty plea³;

Having heard the accused reconfirm his guilty plea during the same sitting and thus said guilty plea was duly registered in the acts of these proceedings⁴;

¹ A folio 1-3 of the proceedings.

² A folio 167 of the proceedings.

³ A folio 167-168 of the proceedings.

⁴ A folio 167 of the proceedings.

Having seen all the records of the case;

Having heard all the evidence brought forward;

Having seen and examined all evidence and all the documents forming part of the proceedings;

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

Having duly considered all the records of the case and all submissions made;

Having seen that the case was put off for today for judgement.

Considered:

The Facts of the Case

The accused allegedly attacked the victim and committed grievous bodily harm with a cutting and pointed instrument, uttered insults and threats against the victim, used force against the victim and is also accused of being a recidivist. The incident happened at Hal-Far Tent Village, Hal-Far.

Considered:

That on the 15th of July 2025, when the stage of the evidence of the Prosecution was almost closed, so much so, that the Attorney General had

issued the note of articles of law under which the accused could be found guilty⁵, the accused registered⁶ a guilty plea.

That said guilty plea was reaffirmed by the accused after the Court duly explained to him the consequences of such guilty plea including the relative punishment prescribed by law;

That therefore such guilty plea was duly registered in the minutes of the case⁷;

That thus upon such guilty plea the Court can only find the accused guilty as charged.

Considered:

That in pronouncing its judgement, the Court is hereby taking into consideration the fact that the accused registered a guilty plea⁸ and the nature and gravity of the offences with which he is charged.

Decides:

Thus, the Court, after having seen Article 17, 31, 49, 50, 214, 215, 216, 218, 338(1)(e), 339(dd), of Chapter 9 of the Laws of Malta, hereby finds the accused **ABDULAH I HASSAN ALI GUILTY** as charged and thus condemns the accused to a term of imprisonment of two (2) years which by

⁵ A folio 165 of the proceedings

⁶ A folio 168 of the proceedings

⁷ A folio 168-169 of the proceedings

⁸ Even though said guilty plea was registered quite late in the proceedings.

virtue of the application of Article 28A of Chapter 9 of the Laws of Malta are being suspended for four (4) years.

The Court is also issuing a Restraining Order against the accused and in favour of the victim Mohammed Mahmoud Omar under Article 382A of Chapter 9 of the Laws of Malta for a period of one year from when this judgement will become *res judicata*.

The Court is also granting the request of the Prosecution under Article 533 of Chapter 9 of the Laws of Malta and condemns the accused to pay all the expenses relating to these proceedings amounting to one thousand and one hundred and twenty six Euro and two cents (€1,126.02)⁹. In this respect the Court orders that this judgement be notified to the Registrar of the Criminal Courts and Tribunals so that the said Registrar may retrieve payment of any such dues from the accused. Should the accused not be in a position to pay any such expert fees, the Court orders that any amount due be converted into days of imprisonment according to law.

As regards the prosecution's request under Article 15A of Chapter 9 of the Laws of Malta, the Court cannot grant such request since no evidence was brought forward as to any damages which the victim may have suffered.

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

⁹ Expenses of expert Dr. Alexandra Mamo €395.02 a folio 115 of the proceedings, Dr. Edward B. Cherubino a folio 131 of the proceedings €495.06 and a folio 170 of the proceedings €235.94, in total €1,126.02.

The Court orders that the parties be immediately given a copy of this judgement and that this judgement be immediately made available on the online portal of the Court Services Agency.

Pronounced today the 25th July 2025, in the Courts of Law, Valletta, Malta.

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

Heidi Zammit
Deputy Registrar