



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

**MAGISTRATE DR.
ANTONIO MIZZI**

Sitting of the 7th September, 2005

Number 602/2005

The Police
Inspectors Louise Calleja and
Walter Spiteri)

VS

Tigbao Oliveras, son of Floro,
born in the Philippines on the 11th August, 1958

The Court,

Having seen the charges proffered against the accused –

1. with having on the 8th July, 2005 in the Southend Bar, Birzebbugia, by lewd acts, defiled Melissa Renee' Spiteri, a minor;

2. with having on the night between the 8th and the 9th July, 2005 at Birzebbugia assaulted and resisted by violence, PS827 E. Grech, PC440 K. Vella Gregory and PC969 J. Abela, persons lawfully charged with a public duty when in the execution of the law or of a lawful order;

3. with having on the night between the 8th and the 9th July, 2005 wilfully caused injuries of a slight nature on the

person of Margaret Linda Spiteri, and with having disturbed the public good order and peace by fighting and, furthermore, without inflicting any wound or blow, threatened others with bottles and throwing bottles in their direction. with having on the night between the 8th and the 9th July, 2005.

Having seen that the minor is a person of ten years of age.

Having seen the records of the case where the accused to the charges as proffered.
having heard the counsel for the defence and the prosecution with regard to the punishment which is to be applied to the accused.

Consequently, the Court finds the accused guilty of the charges as proffered. Having seen sections 96, 203(1), 221(1) and 338(dd) of the Criminal Code condemns him to a term of imprisonment of two years. Having seen section 28A of the Criminal Code orders that such punishment be not applied, for a period of four years from today, unless the accused commits another offence punishable with imprisonment during this period aforementioned.

< Final Judgement >

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