



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

**MAGISTRATE DR.
LAURENCE QUINTANO**

Sitting of the 14 th July, 2006

Number. 536/2006

**The Police
Insp Edel Mary Camilleri
vs
Uzoma Isaac Njoku
(sive Felix obu Nadige)**

The Court, having seen the charges laid against Njoku Uzoma Isaac (sive Felix obu Nadige), 29 years old son of Mike born in Nigeria in 1983, holder of Police number, currently at the Lock Up General Police Headquarters, who sought shelter in unknown whereabouts in Malta since his escaper from the Armed Forces of Malta custody in November 2005.

Charged for having in the month of November 2005, while detained at Lyster Barracks, Hal Far, Malta, escaped from this place of custody and this in violation of Article 151 of Chapter 9 of the Laws of Malta.

Charged also with having on the 30th May 2006, previous dated and later dated in Malta, made use or attempted to make use of a passport issued to any other person and this in violation of Article 4 of Chapter 61 of the Laws of Malta;

And charged also for on the 30th May 2006, previous and later dates in Malta, made use or caused to be made a false return, false statement or false representation and/or furnished the Principal Immigration Officer with false information, and this in violation of Article 32(1c) of Chapter 217 of the Laws of Malta;

The Court, having seen the records of the proceedings including the consent of the Attorney General dated 8 June 2006, so that this case can be dealt with summarily and the consent of the person charged that such proceedings should be summarily dealt with.

Having heard the evidence on oath.

Having heard the defendant plead guilty to charges number 2 and number 3 but not to charge number 1 on the 14th July 2006.

Having given the defendant enough time to reflect on his pleading guilty to charges 2 and 3, which plea he confirmed after the time given.

Considers

That in view of the evidence given by Captain Albert Brincat on page 29, that is, that there is no adequate proof that the defendant escaped from Lyster Barracks, the Court is acquitting the defendant to the charge.

As to the second and third charges, once a guilty plea has been filed by the defendant, then these charges have been proven in accordance with the Law.

The Court notes that the defendant has been in preventive custody for 44 days.

The Court, after having seen, articles 17h, 41(1), 151 of Chapter 9, Article 4 of Chapter 61, and article 32(1)(c) of Chapter 217, declares that it is acquitting the defendant of the first charge; it is finding him guilty of the second and the third charges but instead of condemning him, it is discharging him on condition that he does not commit another crime within one year from today. The Court explained section 22 of Chapter 446 to the defendant.

According to section 533, the Court is condemning the defendant to pay the sum of LM243.58 which amount covers the fees of the experts appointed by the Court.

< Final Judgement >

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