



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

**MAGISTRATE DR.  
ANTONIO MICALLEF TRIGONA**

Sitting of the 8 th November, 2007

Number 1321/2007

The Police

(Inspector Carlo Ellul)

Vs

Manuel Lameiro Bergantinos

The Court,

Having seen the charges brought against the accused Manuel Lameiro Bergantinos holder of identity card number 33553035-Z, charged with having on the 21<sup>st</sup> October 2007 at about 4:30 a.m. at Paceville, St. Julians:

1. Assaulted or resisted by violence or active force, PS 887 E. Mercieca and PC 869 K. Gauci, persons lawfully charged with a public duty when in the execution of the law or of a lawful order, issued by a competent authority in breach of Article 96 of the Laws of Malta;

2. Reviled, threatened or caused bodily harm to PS 887 E. Mercieca and PC 869 K. Gauci, persons charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty, in breach of Article 95 of Chapter 9 of the Laws of Malta;

3. Without the intent to kill or to put the life of any person in manifest jeopardy, have caused grievous bodily harm (per durata) on the person of PS 997 E. Mercieca as certified by Dr. Stephen Muscat, M.D. of St. Luke's Hospital Section 216 of Chapter 9 of the Laws of Malta;

4. Without the intent to kill or to put the life of any person in manifest jeopardy, have caused slight bodily harm save complications on the person of PC 869 K. Gauci as certified by Dr. Thomas Armatts, M.D. of St. Luke's Hospital;

5. Disobeyed the lawful orders of any authority or of any person entrusted with a public service, or hindered or obstructed such person in the exercise of their duties, or duly interfered with the exercise of such duties either by preventing other persons from doing what has been lawfully done by other persons, or in any other manner whatsoever, in breach of Article 338 (ee) of chapter 9 of the Laws of Malta;

6. Willfully disturbed the public good order and peace in breach of Article 338 (dd) of Chapter 9 of the Laws of Malta;

Having seen the Attorney General's consent that the case be heard summarily, not opposed by the accused;

Having heard the accused plead guilty to the charges;

Having seen all the acts and records;

Considers:

Informal Copy of Judgement

Accused is charged with having breached Articles 95, 96, 216, 221, 338(ee) and 338(dd) of Chapter 9 of the Laws of Malta.

Accused has voluntarily and unconditionally entered a guilty plea to the charges brought against him.

Having considered accused statement released to the police on his arrest, decides, on considering the articles of Law above mentioned, in conjunction with Article 17 of Chapter 9 of the Laws of Malta, to acquit the accused by applying Article 22 of Chapter 446 of the Laws of Malta on condition that he does not commit a further offence for a period of one year from today.

The Court has explained to the accused his responsibilities emanating from this judgement.

**< Final Judgement >**

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