



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

**MAGISTRATE DR.
GIOVANNI GRIXTI**

Sitting of the 28 th January, 2008

Number 416/2005

**The Police
(Inspector Therese Sciberras)**

vs

Andy Andrea Scholtes

The Court;

Having seen the charges brought against Andy Andrea Scoltes, 34 years old born 10 February 1971 in Luxembourg son of Raymond Nicholas and Nadine Lydia Maria *nee* Verderuieri holder of identity card no. 28489A residing 'Starfish', Triq l-Imhar, St. Paul's Bay:

With having on 5 May 2005 between 17:00hrs and 22:00hrs in 'Starfish', Triq l-Imhar, St. Paul's Bay held or detained Carmen Camilleri *nee*' Muscat against her will. Also with having on the same date, time, place and circumstances without intent to kill or to put the life of any person that is Carmen Camilleri *nee*' Muscat in manifest jeopardy, caused the mentioned Carmen Camilleri *nee*' Muscat harm to her body, which bodily harm is considered grievous which takes more than thirty days to heal.

The Court is requested to provide for the safety of the victim Carmen Camilleri *nee*' Muscat in terms of Section 883 of Chapter 9.

Having seen the note of the attorney general of the 10 of October 2006 by means of which the accused was sent to this court to be tried and judged for breach of articles 214 to 218, 383, 20 and 533 of the Criminal Code and having noted that the accused had no objection for his case to be tried summarily by this Court;

Having noted that the articles of law quoted by the attorney general exclude the first charge preferred by the prosecution;

The Court therefore abstains from taking any further cognisance of the first charge;

Having heard the plea of guilt of the accused on the second charge;

Finds the accused guilty as charged;

Having seen articles 214 to 218 of Chapter 9 of the Laws of Malta and after having noted that the complainant declared that for all intents and purposes she has not further interest in this case against the accused;

Discharges the accused with the condition that he does not commit any other offence within a period of three years from today in terms of article 22 of Chapter 446 of the Laws of Malta.

Informal Copy of Judgement

The Court abstains from imposing the conditions specified in article 383 Chapter 9 of the Laws of Malta due to the evidence given by the complainant.

The Court explained the obligations arising out of this judgement of the accused.

< Final Judgement >

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