



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

**MAGISTRATE
ANTONIO GIOVANNI VELLA**

Sitting of the 25th September, 2008

Number 796/2008

**POLICE
INSPECTOR CARLOS CORDINA**

VS

**OSMAN MOHAMMED ALI
POLICE NO. XX 18**

The Court;

After seeing the charges brought against:

Osman Mohammed Ali Police no. XX 18 of 32 years, born in Somalia on 1976, son of Mohammed Ali and Habiba nee' Abdi and residing at Safi Barracks, Hal Safi.

For Having:

As he is charged with having on the 26th August 2008 at about 10.00 in Safi Barracks Hal Safi:

Informal Copy of Judgement

- 1) Wilfully caused grievous bodily harm to the body of Magdi Mohammed Ismail Police no. XX 042 as certified by Dr. F. Vella med. Reg. no. 3142 c/0 Mater Dei.
- 2) Wilfully disturbed the public good order or the public peace.

Considers:

After having seen the Articles 214, 216, 221, and 338(dd) of Chapter 9 of the Laws of Malta;

After having seen the accused admit the charges brought against him, which admission was confirmed by him after having been given due time to reconsider in accordance with the law;

After having heard the evidence and the documents exhibited;

After having seen the medical certificate exhibited by the prosecution, whereby the injuries sustained by the victim were of a slight nature;

After having seen the records of the proceedings as recorded in today's sitting, whereby the alleged victim declared that he no longer has any claim against the accused;

Considered;

The accused admitted to the charges at the earliest stage in the proceedings, before any evidence was heard by the Court, and consequently the Court can pass judgement in accordance with the provisions of Article 392A of Chapter 9 of the Laws of Malta. Nonetheless, the Court went on to hear evidence in order to determine the extent of the injuries sustained by the victim. From this evidence it transpired that no grievous injuries were caused by the accused, and that the whole incident was more of a scuffle between two persons with hardly any significant consequence.

For these reasons the Court;

After having seen the Articles indicated;

After having heard the accused's plea and after having given the time prescribed by Law for the accused to consider his plea, this Court finds the said accused guilty as charged, but discharges him from any punishment on condition that he does not commit another offence within the period of one (1) year from today, in accordance with the provisions of Article 22 Chapter 446 of the Law of Malta.

The Court explained in clear words the terms of the judgement to the accused.

< Final Judgement >

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