



**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT
DOREEN CLARKE**

Seduta ta' l-4 ta' Mejju, 2009

Numru. 307/2009

**The Police
(Inspector Joseph Hersey)**

vs

Philip Nicholas Ahmed

Case No: 307/2009

Today the 4th of May, 2009,

The Court,

Having seen the charges brought against Philip Nicholas Ahmed, Sudanese national, born in Nigeria in 1981, son of Ahmed and Mesi, residing at St. Peter's Court, Flat 5, Triq l- Isponoss, Bugibba, known with police number 07VV-017.

For having on the 25th March, 2009 and before in these islands with the intent to make any gain whatsoever aided, assisted, counselled or procured any other person to enter or to attempt to enter or leave or attempt to leave or transit across or to attempt to transit across, Malta in contravention of the laws thereof or who, in Malta or outside Malta, conspired to that effect with any other person (Chap 9, Sec 337A of the Laws of Malta).

Moreover under the same circumstances, aided or assisted any person to land or attempt to land in Malta, or to reside in Malta, contrary to the provisions of this Act, or any person to land or attempt to land, or to reside in, or to leave any other State contrary to the law on entry, residence and exit of that State, or conceal or harbour any person whom he knew, or had reasonable ground for believing, to be in Malta contrary to the provisions of this Act (Chap. 217, Sec. 32 (1)(A)).

And charge him with having on the 25th March, 2009 in these islands forged, altered or tampered with passports, identity cards and residence permit cards respectively or used or had in his possession passports, identity cards and residence permit cards which he knew to be forged, altered or tampered with, bearing numbers AR2006750, 0441727AC, 82026, AM8161877, 0113099AA, 80113, AM8161832 and 0622567AA respectively (Chap. 61, Sec 5 of the Laws of Malta)

Moreover under the same circumstances counterfeited any seal, stamp or other mark used for sealing, stamping, marking, authenticating or certifying in the name of the Government or of any of the authorities thereof, documents or effects, whether public or private property, or which are under the public guarantee, (Chap. 9, Sec 172(1)(2), Sec. 176 of the Laws of Malta)

Moreover under the same circumstances committed any other kind of forgery, or knowingly made use of any other forged document, in the mentioned documents (Chap. 9, Sec. 189 of the Laws of Malta)

Moreover under the same circumstances forged any document or true copy of a document or an entry made in pursuance of this act (Chap. 217, Sec. 32 (1d) of the Laws of Malta).

Having heard the evidence.

Having seen the documents exhibited.

Having seen the note of the Attorney General whereby the accused was sent for trial by this Court for offences under the provisions of:

- a) Section 337A of the Criminal Code, Chapter 9 of the Laws of Malta;
- b) Sections 32(1)(a) and 32(1)(d) of the Immigration Act, Chapter 217 of the Laws of Malta;
- c) Section 5 of the Passport Ordinance, Chapter 61 of the Laws of Malta;
- d) Sections 172(1)(2) and 176 of the Criminal Code, Chapter 9 of the Laws of Malta;
- e) Section 189 of the Criminal Code, Chapter 9 of the Laws of Malta;
- f) Sections 17, 23, 30 and 533 of the Criminal Code, Chapter 9 of the Laws of Malta.

Having heard the defendant declare that he has no objection to the case being tried summarily.

Having heard the defendant plead guilty to the charges brought against him, this notwithstanding the fact that the Court warned him of the consequences of his plea and afforded to him sufficient time within which to withdraw his guilty plea.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proven.

The nature of the offences imputed to the defendant on the one hand, and the fact that defendant has a clean

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criminal record and that he cooperated with the investigating officers on the other hand.

For these reasons

The Court after having seen sections 17, 172(1)(2), 176, 189, and 337A of Chapter 9 of the Laws of Malta, section 5 of Chapter 61 of the Laws of Malta, and sections 32(1)(a) and 32(1)(d) of Chapter 217 of the Laws of Malta, on his admission finds the defendant guilty of the charges brought against him and condemns him to three years imprisonment.

< Sentenza Finali >

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