



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

**MAGISTRAT  
DOREEN CLARKE**

Seduta tal-5 ta' Mejju, 2009

Numru. 262/2009

**The Police  
(Inspector Trevor Micallef)**

**vs**

**Koudil Ryad Areslane**

Today the 4th of May, 2009,

The Court,

Having seen the charges brought against Koudil Ryad Areslane, 20 years old, son of Ali Koudil and Hafsa nee` Zinai, born on the 19th February, 1989 in Algiers, resident in Mimosa Court, Flat 1, Triq il- Lunzjata, St. Julians and holder of Algerian passport no. 6547003.

For having in these Islands on the 1st May 2009 and during the previous weeks:

Had in his possession the drugs (heroin) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (G.N. 292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs were supplied to him for his personal uses, according to a medical prescription as provided in the said regulations, and this in breach of the 1939 regulations of the Internal Control of Dangerous Drugs (G.N. 292/1939) as subsequently amended by the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta.

The Court was also requested to apply section 533(1) of Chapter 9 of the Laws of Malta as regards to the expenses incurred by the Court appointed Experts.

Having seen Parts 4 and 6 of Chapter 101 of the Laws of Malta and Legal Notice 292 of the year 1939.

Having heard the accused plead guilty to the charge 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 seen the acts of the proceedings.

Having heard the oral submissions made by the parties.

Considered:

That the accused replied guilty to the charge brought against him consequently; this is consequently sufficiently proved.

That the accused co-operated with the competent authorities in their investigation and admitted the charge brought against him in the initial stages of the procedures.

That the accused has no criminal record.

For these reasons

The Court, after having seen Parts 4 and 6 of Chapter 101 of the Laws of Malta and Legal Notice 292 of the year 1939, on defendant's admission finds him guilty of the charge brought against him and condemns him to one year imprisonment which, by application of section 28A of Chapter 9 of the Laws of Malta, is being suspended for a period of two years.

The Court explained to the guilty party in ordinary language of the consequences should he commit an other offence during the period of two years.

**< Sentenza Finali >**

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