



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

**MAGISTRATE DR.
ANTONIO MIZZI**

Sitting of the 7th April, 2009

Number. 578/2008

The Police
(Inspector Martin Sammut)
vs

Danniel Haile Tesfamihret, son of Haile, born in Sudan on
the 1st September, 1983

The Court,

Having seen the records of the case whereby the accused was charged with having on these Islands on the 29th June, 2008, at about 0100 hours outside Tigullio situated in St. George's Road, St. Julians –

1. without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the person of Abraham Ghebremichael Brhane;
2. willfully disturbed the public good order or the public peace.

The Court has been requested that in the event that the accused be found guilty to provide for the safety of Abraham Ghebremichael Brhane according to section 383 of the Criminal Code.

Having seen the note filed by the Attorney General on the 30th March, 2009 whereby he declared that after examining the records of the proceedings there might result an offence (or offences) under the provisions of sections 214, 216, 217 and 338(dd) of the Criminal Code; transmitted the records of the case to this Court to decide upon such offence or offences.

Having seen the records of the sitting of the 7th April, 2009 whereby the accused gave his consent that this case be tried summarily.

Having seen the records of the sitting of the 7th April, 2009 whereby the accused admitted to the charges as proffered.

Consequently, this Court declares the accused guilty of the charges as proffered. Having seen sections 214, 216, 217 and 338(dd) of the Criminal Code, does not commit him to a term of imprisonment but sets him free under the conditions of section 22 of Chapter 446 of the Laws of Malta on condition that he commits no other offence within a period of three years from today. In the circumstances there is no need for the application of section 383 of the Criminal Code.

< Final Judgement >

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