



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

**MAGISTRAT
DOREEN CLARKE**

Seduta tat-13 ta' Gunju, 2009

Numru. 569/2009

**The Police
(Inspector Alexander Grech)**

vs

Ismael Obssa Hussein

The Court,

Having seen the charges brought against Ismael Obssa Hussein, 27 years old, born in Ethiopia on the 19th of May, 1982 and residing at Marsa Open Centre, Xatt il-Mollijiet, Marsa and holder of the Maltese Identity Card 44105A.

Accused with having, on the 12th June, 2009 at about 04:00 am whilst he was at the Marsa Open Centre, Marsa, wilfully committed any spoil, damage or injury to or upon any movable or immovable property belonging to the

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Government of Malta, in breach of section 325 of Chapter 9 of the Laws of Malta.

On the same date, time, place and circumstances, was in possession of a weapon (knife) without a licence from the Commissioner of Police.

On the same date, time, place and circumstances offended other persons by words, gestures, or in any other manner in breach of section 252(1) of Chapter 9 of the Laws of Malta;

On the same date, time, place and circumstances wilfully disturbed the public good order or the public peace in breach of section 383(dd) of Chapter 9 of the Laws of Malta;

On the same date, time, place and circumstances uttered insults or threats not otherwise provided in the Criminal Code or provoked in breach of section 339 of Chapter 9 of the Laws of Malta;

And also for being deemed a recidivist after being sentenced for an offence by a judgement which has become absolute in breach of sections 49 and 50 of Chapter 9 of the Laws of Malta.

Having seen sections 49, 59, 252(1), 325(1)(a), 338(dd) and 339(1)(e) Chapter 9 of the Laws of Malta and section 6 of Chapter 480 of the Laws of Malta.

Having heard the accused plead guilty to the charges, 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:

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That the accused replied guilty to the charges brought against him; the charges are consequently sufficiently proved.

With regards to the penalty to be meted out, the Court considered on the one hand the nature of the offences imputed to the defendant, and his conviction sheet from which it appears that defendant has already been found guilty of similar offences. On the other hand the Court took in consideration defendant's admission at the earliest stage of these proceedings as well as his cooperation with the police.

Wherefore the Court, after having seen sections 49, 59, 252(1), 325(1)(a), 338(dd) and 339(1)(e) Chapter 9 of the Laws of Malta and section 6 of Chapter 480 of the Laws of Malta, on his admission finds the defendant guilty of the charges brought against him and condemns him to thirteen (13) months imprisonment and to a fine of one hundred and sixteen Euros and forty seven cents (€116.47) which fine id to be paid within a six months.

< Sentenza Finali >

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