



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

**MAGISTRAT DR.
LAURENCE QUINTANO**

Seduta tat-30 ta' Lulju, 2009

Numru 746/2009

**Il-Pulizija
Sp Spiridione Zammit
Vs
Zakaria Abdisamed Abukar**

The Court

Having seen the charges laid against Zakaria Abdisamed Abukar, 25 years of age, son of Abdisamed and Dahlia nee' Hasan born in Somalia on the 6th June 1985 and residing at Marsa Open Centre, holder of ID car number 33181A and Travel Document number 9265.

Accused for having on the 29th July 2009 at about 5.00am and times after, whilst in Marsa Open Centre situated at Xatt il-Mollijiet willfully committed any spoil, damage or injury to or upon any movable or immovable property which include window glass and

furniture to the detriment of the Government of Malta which damages does not exceed 116.47 Euro but exceeds 23.29 Euro.

Accused also for having on the same date, place, time and circumstances even though in a state of intoxication publicly uttered obscene or indecent words or made obscene acts or gestures or in any other manner not otherwise provided for the Criminal Code of Malta, offended against public morality, property or decency.

Furthermore with having on the same date, place, time and circumstances in any manner not otherwise provided for in Chapter 9 of the Criminal Code of Malta, disturbed the public good order or the public peace.

Having seen the guilty plea filed by the defendant, which guilty plea he confirmed after being given enough time to reflect on it. Therefore the charges against the defendant have been proved in accordance with the law.

The Court after having seen Articles 325(c), 338 (b), 338(dd) of Chapter 9 of the Laws of Malta, finds the defendant guilty of all the charges laid against him. As to the penalty, the Court has considered that

- (a) The defendant filed an early guilty plea**
- (b) That he has a clean record sheet**
- (c) That he has paid for all the damages**
- (d) He has formally excused himself with Ahmed Boukra**

In the circumstances, the Court instead of condemning the defendant, is discharging him on condition that he does not commit another crime with three years from today. The Court explained Section 22 of Chapter 446 of the Laws of Malta to the defendant in the easiest way possible.

Kopja Informali ta' Sentenza

At the same time, the Court is binding the defendant that if he in any way threatens or molests Mr Ahmed Boukra for a whole year starting from today, he would be liable to pay 234 Euro.

< Sentenza Finali >

-----TMIEM-----