



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

**MAGISTRATE DR.  
JACQUELINE PADOVANI**

Sitting of the 12 th April, 2010

Number 108/2010

**POLICE  
INSPECTOR SPIRIDIONE ZAMMIT  
VS  
ABDIHAKIM ALI YUSUF**

The Court, having seen the charges brought against Abdihakim Ali Yusuf of 37 years old, son of Ali Yusuf and Hawa born in Somalja on the 1<sup>st</sup> January 1973 temporarily residing at Marsa Open Centre, Marsa and holder of Identity Card number 44220A and Police Immigration number 06BBB015.

1. Charged with having on the 6<sup>th</sup> February 2010 at about 2:30a.m. and times before, whilst at Marsa Open Centre with intent to commit a crime, manifested such intent by overt acts which are followed by a

commencement of the crime, to that of grievous bodily harm on the person of Hassan Mire' from Marsa;

2. Also charged with having, without the intent to kill or to put the life of another person in manifest jeopardy, caused harm to the body or health of Hassan Mire' from Marsa Open Centre that is of a slight bodily harm as medically certified by Dr. M. Rosso Reg.2029 from Mater Dei Hospital;

3. Also charged with having on the same date, place, time and circumstances, was in possession of proper and improper arms;

4. Also charged 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.

In case of guilt the Court is kindly requested to provide the personal security of Hassan Mire' and apply the Articles of 383, 384 and 385 of Chapter 9 of the Criminal Code of Malta.

Having heard the evidence tendered on oath;

Having heard the plea of guilt registered by the accused;

Having heard the confirmation of the plea of guilt after that the Court accorded a reasonable time for reconsideration;

Having heard the oral submissions of the parties;

Deliberates:

On the strength of the registration of a guilty plea, the Court finds the accused Abdihakim Ali Yusuf, guilty as charged and after having seen Articles 41, 216, 221, 338dd, 383, 28A of Chapter 9 of the Laws of Malta, and

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Article 3, 5 and 6 of Chapter 480 of the Laws of Malta, condemns the accused to two (2) months imprisonment suspended for one year.

Furthermore the Court orders the accused to enter into his own recognisance the sum of two hundred and thirty three Euros (€ 233) with the undertaking that the accused will not molest the complainant Hassan Mire' and this for a period of one year.

This punishment was accorded after the Court took into consideration the fact that the accused is a first offender, that he pleaded guilty in the early stages of the procedures and the fact that the accused was involved in a drunken brawl.

**< Final Judgement >**

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