



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

**MAGISTRATE DR.  
NEVILLE CAMILLERI**

Sitting of the 7<sup>th</sup> July, 2011

Number 801/2011

**The Police  
(Insp. Joseph Hersey)**

**vs.**

**Femi Olobawemini**

**The Court,**

After having seen the charge brought against Femi Olobawemini, aged 19 years, son of Olobawemin and Bose born in Nigeria on the 14 of January 1992, having Police Number 09B-122, and residing at Hal-Far tent village of having, in the months prior to the 6<sup>th</sup> July, 2011, in Malta, embarked without being in possession of a passport and without furnishing the Principal Immigration Officer with the prescribed information and such other information as the Principal Immigration Officer might have deemed proper to require (Chap. 217 Sec. 28),

After having examined all documents forming part of the proceedings;

After having heard the accused plead guilty to the charge brought against him notwithstanding the fact that the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

In the light of the guilty plea submitted by the accused, the Court has no alternative but to find him guilty of the charge brought against him;

With regards to the punishment the Court heard submissions by the Prosecuting Officer and Defense Counsel. The Court also took into consideration that the accused fully co-operated with the Police and that he submitted an early guilty plea;

Therefore whilst having seen and considered Section 28 of Chapter 217 of the Laws of Malta, the Court finds the accused guilty of the charge brought against him and condemns him to six (6) months imprisonment however, since the Court is of the opinion that there are sufficient reasons which warrant that the said term of imprisonment be suspended, in terms of Section 28A of Chapter 9 of the Laws of Malta, suspends the said term of six (6) months imprisonment for a period of three (3) years from date of this judgment;

In terms of Section 28A(4) of Chapter 9 of the Laws of Malta the Court has explained to the accused in plain language his liability under Section 28B of Chapter 9 of the Laws of Malta if during the operational period he commits an offence punishable with imprisonment.

Informal Copy of Judgement

**< Final Judgement >**

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