



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 6 th June, 2012

Number. 667/2011

**The Police
(Inspector Anna Marie Micallef)**

vs

**Eboa Ngilissi Ahmadou, 24 years, son of El Hadj Eboa
Malam Issa and Eboa Ngo Moutassong nee`
Madeleine, born in Cameroon on the 21st December
1986, residing at 228, Rue D'Argens, Gzira, holder of
Maltese Identity Card number 50539(A)**

The Court;

Having seen charges brought against accused who was charged with having on the 4th February 2010, at about 21:30hrs on these islands:

1) Through your course of conduct caused Olivia Beatrice Pakem to fear that violence will be used against

Informal Copy of Judgement

her, when he know or ought to have known that his course of conduct would cause her fear;

2) Pursued a course of conduct which amounted to harassment of Olivia Beatrice Pakem, and which he knew or ought to have known that it amounted to harassment of Olivia Beatrice Pakem;

3) Caused grievous injuries on the person of Olivia Beatrice Pakem, as certified by Dr. Bassam Shamala from mater Dei Hospital;

4) Committed theft to the detriment of Olivia Beatrice Pakem, which theft is aggravated by value, which exceeds the amount of two hundred and thirty-two euro and ninety-four cents (232.94) but did not exceed two thousand and three hundred and twenty-nine euro and thirty seven cents (2,329.37), and by time;

5) Attempted to use force against Olivia Beatrice Pakem with intent to, insult, annoy or hurt such person;

6) Uttered insults or threats against Olivia Beatrice Pakem, or if provoked, he carried his insult beyond the limited warranted by provocation;

Having seen documents exhibited;

Having seen the Attorney General's consent of the 21st May, 2011, for the case to be dealt summarily by this Court;

Having heard the evidence;

Having heard submissions regarding the punishment to be inflicted;

Considers;

That the accused is facing charges connected to an incident which allegedly occurred between him and his partner injured party Olivia Beatrice Pakem. The injured party however never testified before the Court because she cannot be traced by the Prosecution and apparently left Malta for good.

The evidence heard by the Court is not sufficient to lead to a conviction against the accused since there is no proof that the injuries suffered by injured party were even in fact caused by the accused. In fact there is also evidence in the acts to indicate that injured party herself caused trouble and had an alcohol problem to the extent that she was not capable of looking after her own child.

Consequently the Court in view of the evidence found in the acts which is not sufficient to lead to a conviction beyond reasonable doubt against the accused, is acquitting him from all the charges brought against him.

< Final Judgement >

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