



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

**MAGISTRATE DR.
ANTONIO MIZZI**

Sitting of the 21st March, 2013

Number. 270/2013

The Police
(Inspector Daryl Borg)
vs

Ahmed Mohammed Abdulkadir, son of Mohammed, born
in Somalia on the 1st January, 1982, identity card no.
30398A

and

Mahmud Hagi Hassan Maslah, son of Mahmudi, born in
Somalia on the 1st May, 1989, identity card no. 53534A

The Court,

Having seen the charges proffered against the accused,
with having between the 20th and 21st day of March, 2013,
whilst in St. Julians:

1. committed theft aggravated by time and value,
which exceeds the sum of €232.94 but does exceed the

sum of €2,329.37 to the detriment of Mariana Fortunata Zammit;

2. during the same date, time, place and circumstances, whilst being on these Islands, knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad, the value of which items exceeds €232.94 but does not exceed €2,329.37, or for knowingly taken part, in any manner whatsoever, in the sale or disposal of these items.

Having seen the note filed by the Attorney General whereby he gave his consent that this case be treated summarily.

Having seen the records of the case of the 21st March, 2013 whereby the Prosecution Officer informed the Court that all the items which were stolen have been returned to their rightful owner.

Having seen the records of the case of the 21st March, 2013 whereby the accused admitted to the charges as proffered.

Having heard the Prosecution Officer and the lawyer for the accused with reference to the punishment to be meted out.

Consequently, this Court does not find the accused guilty of the second charge proffered against the accused and sets them free of this charge. It finds them guilty of the first charge proffered against the accused. Having seen sections 261(c)(f), 267, 270, 279(a) and 280(1) of the Criminal Code condemns them to a period of twelve months imprisonment each. Having seen section 28A of the Criminal Code orders that such punishment be suspended for a period of two years from today.

< Final Judgement >

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