



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

**MAGISTRATE DR.
GABRIELLA VELLA**

Sitting of the 10 th April, 2013

Number 348/2013

**Police
(Inspector Edel Mary Camilleri)**

Vs

Isaac Armah

The Court,

After having seen the charge brought against Isaac Armah, thirty six (36) years of age, son of Armah and Comfort, of Ghanian nationality and born in Accra on the 7th May 1977, escaped from Lsyter Barracks, Hal Far, Malta, holder of Police Immigration Number 06CC-001, of having in 2006 and the years after this date in Malta escaped from a place of custody and this in violation of Article 151 of Chapter 9 of the Laws of Malta;

After having heard the accused declare that he is guilty of 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;

After having considered the documents forming part of the records of these proceedings;

After having heard and considered submissions regarding punishment and in particular the submission put forth by the Prosecution that it does not insist on an effective prison term but deems a suspended sentence to be an appropriate punishment in the light of the fact that the accused intends to and will effectively leave Malta to return to his country of origin, that is Ghana;

Considers:

In the light of the guilty plea submitted by the accused, the Court finds him guilty of the charge brought against him.

With regards to the punishment the Court heard submissions by the Prosecuting Officer and Defense Counsel and took into consideration the fact that the accused intends to and will effectively leave Malta to return to his country of origin, that is Ghana, so much so that in the light of this fact the Prosecution is not insisting on an effective prison term but deems that a suspended sentence is an appropriate punishment in the circumstances of this case.

After having seen and considered Section 151 of Chapter 9 of the Laws of Malta, the Court reiterates that it is finding the accused guilty of the charge brought against him and condemns him to six (6) months imprisonment, however in the light of the fact that the accused intends to and will effectively leave Malta to return to his country of origin, that is Ghana, the Court is of the opinion that there are sufficient reasons which warrant the suspension of the said term of imprisonment in terms of Section 28A of Chapter 9 of the Laws of Malta, and therefore suspends

Informal Copy of Judgement

the said term of six (6) months imprisonment for a period of one (1) year 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.

< Final Judgement >

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