



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

**MAGISTRATE DR.  
NEVILLE CAMILLERI**

Sitting of the 25<sup>th</sup> July, 2013

Number 696/2013

**The Police  
(Inspector Edmond Cuschieri)**

**vs.**

**Abdallah Sunny**

The Court

After having seen the charges brought against **Abdallah Sunny**, aged thirty-nine (39) years, born on the 13<sup>th</sup> of October 1974 in Liberia, son of Ibrahim Sunny and Maria Kaba, Maltese Identity Card Number 28746A, residing 45, Grand Baie, Flat 2, Triq Efesu, San Pawl il-Bahar, accused of having on the 24<sup>th</sup> of July 2013 at around 11am in Golden Bay (Ghajj Tuffieha):

(a) forged or altered, without the consent of the owner, the name, mark or any other distinctive device of any intellectual work or any industrial product, or knowingly made use of any such name, mark or device forged or altered, without the consent of the owner, even though by others;

(b) or knowingly made use of any mark, device, signboard or emblem bearing an indication calculated to deceive a purchaser as to the nature of the goods, or sells any goods with any such mark, device or emblem;

(c) or knowingly put into circulation, sold or kept for sale or imported for any purpose of trade, any goods bearing a fraudulent imitation of any mark, device or emblem; being 29 sunglasses bearing the trademark of Ray Ban, Gucci, Police, Carrera u Chanel and 5 wrist watches bearing the trademark of Rolex, Breitling, Chanel and Quartz.

(This in terms of Articles 298(1)(a), (c) and (f) of Chapter 9 of the Laws of Malta)

In case of guilt the Court was humbly asked that, apart from inflicting a penalty as established by law, it is also to order the forfeiture of all the established items and to order their destruction.

The Court was also asked that, in case of guilt, the accused is ordered to pay the Registrar for all the costs incurred in connection with the employment in the proceedings of any expert.

After having examined all the documents forming part of the proceedings.

After having seen the consent of the Attorney General for these proceedings to be dealt with summarily (*a fol. 9*).

After having heard the accused plead guilty to all the charges 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.

### **Considers**

That, as a consequence of the admission of the accused for the charges brought against him, the charges brought against the accused have been sufficiently proven.

With regards to the punishment to be inflicted, the Court will be taking into consideration various factors, including: the nature of the charges brought against the accused, the conviction sheet of the accused, his guilty plea at an early stage of these proceedings and the declaration by the Prosecution and the defence regarding the suitable punishment to be inflicted against the accused.

Therefore, the Court, after having seen and considered Sections 298(1)(a), (c) and (f) of Chapter 9 of the Laws of Malta, finds the accused guilty of all the charges brought against him and, in terms of Section 22 of Chapter 446 of the Laws of Malta the Court is conditionally discharging the accused subject to the condition that he does not commit another offence within a period of three (3) years from date of this judgement.

The Court orders the seizure and the destruction of the contents of Doc. "EC 1" under the supervision of the Registrar.

**< Final Judgement >**

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