



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

**MAGISTRATE DR.
DOREEN CLARKE**

Sitting of the 12 th November, 2013

Number. 1119/2013

**The Police
(Inspector Luke Bonello)**

vs

Michael Paul Gill

Today the 12th November, 2013

The Court,

Having seen the charges brought against the accused Michael Paul Gill, 41 years, son of Michael and Irene nee Buckle, born in United Kingdom on the 2nd of May, 1972, residing at 73 Coral Court, Flat 10, Triq Sant' Aristarku, St Paul's Bay and holder of identity card with number 49406A.

And hereby charge him with having on the 11th of November 2013 between 00:00am and 02:00am, whilst being in St. Julian's;

1. Reviled, or threatened, or caused bodily harm to any person lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty

2. Further more, with having on the same date, time, place and circumstances, assaulted or resisted by violence or active force not amounting to public violence, any person lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority,

3. Further more, with having on the same date, time, place and circumstances, without intent to kill or to put the life of Alan Ciantar in manifest jeopardy caused the mentioned Alan Ciantar slight injuries as certified by Dr. Samuel Anthony Galea, holder of medical register number 5434, of the Floriana Health Centre.

4. Further more, with having on the same date, time and place and circumstances, willfully committed any spoil, damage or injury to or upon any movable or immovable property belonging to Alan Ciantar, which the amount of the damage does not exceed one thousand and one hundred and sixty-four euro and sixty-nine cents (€1,164.69) but exceeds one hundred and sixteen euro and forty-seven cents (€116.47).

5. Further more, with having on the same date, time, place and circumstances, used force against Ps 1456 Jonathan Cassar and Pc 446 Joseph Mifsud with intent to insult, annoy or hurt them or others,

6. Further more, with having on the same date, time, place and circumstances, used force against Alan Ciantar with intent to insult, annoy or hurt them or others

7. Further more, with having on the same date, time, place and circumstances, wilfully disturbs the public good order or the public peace;

8. Further more, with having on the same date, time, place and circumstances, disobeyed the lawful orders of any authority or of any person entrusted with a public service.

9. Further more, with having on the same date, time, place and circumstances, was found drunk and incapable of taking care of himself.

Having seen sections 95, 96, 221, 325(1)(b), 338(dd)(ee)(ff), 339 and (1)(d) of Chapter 9 of the Laws of Malta.

Having seen the consent of the Attorney General for this case to be tried summarily and that the defendant had no objection to the case being so tried.

Having seen that the defendant admitted the charges brought against him and that he confirmed this admission of guilt even after the Court gave him sufficient time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proven.

Regarding the penalty to be meted out the Court took into consideration the nature of the charges, the eventual cooperation with the police and defendant's admission of guilt at the earliest stage of these proceedings as well as his conviction sheet.

Wherefore, the Court after having seen sections 95, 96, 221, 325(1)(b), 338(dd)(ee)(ff), 339 and (1)(d) of Chapter 9 of the Laws of Malta, on his admission finds defendant

guilty of the charges brought against him and condemns him to nine (9) months imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of two years. Furthermore and by application of section 28H of the said Chapter 9 the Court is condemning the defendant to pay the parte leza Alan Ciantar the sum of one hundred and seventy seven Euros (€177); payment is to be effected within two weeks.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit another offence in the period of two years.

< Final Judgement >

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