



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 21 st January, 2014

Number. 1153/2013

**The Police
(Inspector Carol Fabri)**

vs

MOLHAM AL RUSAN

The Court,

Seen the charge brought against Molham Al Rusan, 19 years son of Ayad and Lina, born Damasku on the 31 May, 1994, residing at Hal Far Open Centre, Police Number 13V 022

And charged him with having on the 21st October, 2013 at about one o'clock in the morning (1:00hrs) and after that time at Hal Far Open Centre:

Caused grievous bodily harm to the detriment of Baderdeen Said Fardousi, Police Number 13V 063 as certified by Dr Mario Cilia M.D., (med. Reg. 1493) of Floriana Health Centre.

The Court was requested that, in case of finding the person guilty, together or instead the indicated sentence for said crime, on reasonable grounds, for the purpose of providing for the safety of Baderdeen Said Fardousi, Police Number 13V 063 or of other individuals or for the keeping of the public peace or for the purpose of protecting the injured person or other individuals from harassment or other conduct which will cause a fear of violence, issue a protection order against the accused in view of Article 412C of the Laws of Malta.

Seen the acts of the Case and exhibited documents.

Seen the Attorney General's consent exhibited as Doc. CF8 and noted that accused has no objection that the Case be heard summarily.

Noted that in today's examination accused pleaded guilty to the charge brought against him.

The Court warned accused in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked whether he confirms his admission of guilt or not, accused confirmed that he is pleading guilty to the charge brought against him.

Noted that in today's Sitting Prosecuting Officer declared that accused cooperated fully with the Police.

Heard submissions on punishment made by Prosecution and Defence.

Seen Sections 215 and 216 of Chapter 9 of the Laws of Malta.

Finds accused Molham Al Rusan, on admission of guilt, guilty of the charge brought against him, taking into consideration all the circumstances of the Case including that in today's Sitting Prosecuting Officer declared that accused cooperated fully with the Police and having seen Sections 28A and 28B of Chapter 9 of the Laws of Malta condemns accused Molham Al Rusan to two (2) years imprisonment and orders that this Sentence as regards the punishment of imprisonment shall not take effect unless during the period of four (4) years as from today accused Molham Al Rusan commits another offence punishable with imprisonment.

Finally the Court is giving accused Molham Al Rusan the explanation prescribed in sub-section 28A(4) of Chapter 9 of the Laws of Malta.

< Final Judgement >

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