



MALTA

**QORTI TAL-MAGISTRATI**  
**(GHAWDEX) BHALA QORTI TA' GUDIKATURA KRIMINALI**  
**MAGISTRAT DR.**  
**JOSETTE DEMICOLI**

Seduta tas-16 ta' Jannar, 2014

Numru. 12/2014

The **Police**

**(Inspector Bernard C. Spiteri)**

**Vs**

**Mohamed Yusuf Duale, holder of identity number 83799A, aged 21 years, son of Yusuf and Sarah nee' Haxi Adani, born at Somalia on the 1<sup>st</sup> of January 1991 and resides at 42, Soil Street, Xewkija, Gozo.**

The Court,

Having seen the charges brought against the accused with having on the 15<sup>th</sup> of January 2014, at around 00.30am, whilst he was at Shore Street, Zebbug, Gozo and in the vicinity:

1. Without the intent to kill or put the life in manifest jeopardy caused slight injuries on the person of Faisal Dahir Jama Adan by a means of a cutting or a pointed instrument.
2. And also with having on the same date, time, place and circumstances taken up any other weapon against any person.
3. And also with having on the same date time, place and circumstances attempted to use force against the person of Faisal Dahir Jama Adan with intent to insult, annoy or hurt such person.
4. And also with having on the same date, time, place and circumstances wilfully disturbed the public good order or the public peace.
5. And also with having on the same date, time, place and circumstances carried outside any premises or appurtenance thereof, a knife or cutting or pointed instrument of any description without a licence or permit from the Police Commissioner.

The court is being kindly requested, where it deems expedient, in order to provide for the safety of Faisal Dahir Jama Adan, or for the keeping of the public peace, in addition to or in lieu of the punishment applicable to the offence, require the offender to enter into his own recognizance in a sum of money to be fixed by court.

Having seen documents exhibited;

Having heard the accused plead guilty to the charges brought against him, notwithstanding the fact that the Court 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;

Having heard the prosecution and defence counsel make their submissions.

Considers:

Having heard the guilty plea of the accused to the charges brought against him the Court has no alternative but to declare the accused guilty of all the charges brought against him.

With regards to punishment the Court took into consideration the fact that the accused pleaded guilty at an early stage of the proceedings, the circumstances of the case, that he co-operated with the Police.

Having seen articles 214, 221(3), 338(dd), 339(d) of Chapter 9 and article 8 of Chapter 480.

In view of the above the Court on his admission finds the accused guilty of the charges brought against him and by application of article 22 of Chapter 446 of the Laws of Malta, discharges him on condition that he does not commit another offence within a period of six (6) months from date of this judgement.

The Court by application of article 383 of Chapter 9 orders Mohamed Yusuf Duale on a personal guarantee for a period of six (6) months from today on pain of a penalty of two hundred and fifty euro (€250) from molesting or vexing Faisal Dahir Jama Adan.

Kopja Informali ta' Sentenza

The Court explained to defendant in ordinary language of the consequences should he commit another offence within the period of six months.

**< Sentenza Finali >**

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