



MALTA

**QORTI TAL-MAGISTRATI (MALTA)**  
**BHALA QORTI TA' GUDIKATURA KRIMINALI**  
**MAGISTRAT DR.**  
**DOREEN CLARKE**

Seduta tat-18 ta' Mejju, 2015

Numru. 393/2015

**The Police**  
**(Inspector Caroline Fabri)**

**vs**

**Mohammad Saiful Islam**  
**Sayed Matubber**  
**Hannan Abdul**

**Case Number: 393/2015**

The Court,

Having seen the charges against:-

**Mohammad Saiful Islam** holder of passport number AE6319607;

**Sayed Matubber** holder of passport number AG9285062; and

**Hannan Abdul** holder of police number 11E 084.

With having, together with other persons, on the 27th April, 2015 at 23.30hrs in Ball Street, St. Julian's:-

1. Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the person of Wadea Al Maghrbi;
2. And with having on the same date, time, place and circumstances took part in an accidental affray and caused bodily harm on the person Wadea Al Maghrbi;
3. And with having on the same date, time, place and circumstances provoked a tumult or an affray for the purpose of committing a homicide or a bodily harm to the detriment of Wadea Al Maghrbi;
4. And further for having on the same date, time, place and circumstances wilfully disturbed the public peace and order.

Having seen sections 214, 215, 216, 237, 238 and 338(dd) of Chapter 9 of the Laws of Malta.

Having seen that during today's hearing held by this Court sitting as a Court of Criminal Inquiry the accused admitted the charges brought against them and confirmed this admission of guilt even after having been given time to reconsider their plea.

Having seen the documents filed by the prosecuting officer.

Having heard submissions regarding the penalty to be meted out.

Having considered

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

With regards the penalty to be meted out, the Court took into consideration the nature of the offences of which the accused are being found guilty, their co-operation with the police, their clean conviction sheet, and their admission at an early stage of these proceedings.

Wherefore the Court, after having seen 214, 215, 216, 237, 238 and 338(dd) of Chapter 9 of the Laws of Malta, on their admission finds defendants guilty of the charges brought against them and condemns them to two years imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of two years. Further more and by application of sections 382A and 412(C) of Chapter 9 of the Laws of Malta, in order to provide for the safety of Wadea Al Nahrbi and for the keeping of the public peace, the Court is issuing a restraining order against the accused for a period of three years with the conditions listed in the order given together with this judgement.

The Court explained to the defendants in ordinary language the significance of this judgement and of the consequences should they commit an other offence in the period of two years or should they violate the conditions of the restraining order.

**< Sentenza Finali >**

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