

**IN THE COURT OF MAGISTRATES (MALTA)**

**AS A COURT OF CRIMINAL JUDICATURE**

**A. MICALLEF TRIGONA LL.D., MAG. JUR (EU LAW)**

**12<sup>h</sup> MAY 2016**

The Police

(Inspector Trevor Micallef)

vs

Abdirahman Hassan Sakariye

The Court,

Having seen the charges laid against the accused, of Somalian nationality and holder of Identity Card number 0113377A accused with having on the 2<sup>nd</sup> April 2016, on these islands:

1. produced, sold or otherwise dealt in the resin obtained from the plant cannabis, or any preparation of which such resin formed the base, in terms of Section 8 (b) of Chapter 101 of the Laws of Malta;
2. committed these acts in or around the distance of 100 metres from the perimeter of a school or club, or any other similar place where normally youths meet, in terms of Section 22 (2) of Chapter 101 of the Laws of Malta;

The Court is also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed experts.

Having seen all the documents and acts of the proceedings;

Having heard the evidence;

Having considered that the case falls under the jurisdiction of this Court;

Considers:

That the charges against the accused are a result of an allegation made by a minor of 16 years, of Belgian nationality, who when caught by the Police, with an empty packet of cigarettes that had in it the drug cannabis, indicated the accused with having sold it to him.

The accused on his part consistently denied the allegation that he had sold the drug. Not only, but he also denies that he even took, touched, possessed or otherwise trafficked in cannabis or for that matter, any other drug,

The Court finds no reason to doubt the truthfulness of what the accused has stated. It is on the contrary, convinced of the veracity of what the accused stated, in evidence before the Court.

Consequently, decides to acquit accused of the charges brought against him.

A.M. Trigona

Magistrate