



MALTA

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

MAGISTRATE DR IAN FARRUGIA LL.D

Today the 4th day of December 2017

**THE POLICE
(Inspector Trevor Micallef)**

Vs

MOHAMED ABDIRISAK AHMED

Comp. No. 510/2017

THE COURT;

Having seen the charge brought against **Mohamed Abdirisak Ahmed** holder of identity card number 9001290(A), accused of having on these islands, on the 16th November 2017 in St. Julians;

Committed theft of two necklaces to the detriment of Giovanni Aliprandi and/or other persons, which theft is qualified by means of 'amount' and 'time'. (Art.261(c) (f), 267, 270, 279(a) of Chapter 9 of the Laws of Malta.

Having seen the consent issued by the Attorney General dated 16th November 2017 for the case to be proceeded with and be decided upon summarily (*vide folio 4*);

Having examined all testimonies of witnesses produced, including the testimony tendered by the accused;

Having seen all the documents exhibited in the acts of these proceedings;

Having heard submissions by the prosecution and the defence;

Considers;

That following an in-depth analysis of the acts of these proceedings, the Court is convinced in terms of Law that the testimony tendered by the victim Giovanni Aliprandi is sufficient and constitutes full and ample proof of the case brought forward by the prosecution.

On the night in question the accused, accompanied by another individual, an Italian national, crossed paths with Giovanni Aliprandi in the area of Paceville, St. Julian's. The Italian national engaged in verbal exchange with Giovanni Aliprandi, and all of a sudden the accused grabbed the two chains that Giovanni Aliprandi had hanging around his neck, snatched them and fled the scene.

Giovanni Aliprandi had no difficulty in identifying the accused as the person who committed this snatch and grab. He identified him in the Court room during his testimony, and he had already identified him near the Westin Hotel on the night in question when he was accompanied by two policeman who went immediately to help in the investigation.

The prosecution produced sufficient evidence to prove that the two chains stolen from Giovanni Aliprandi had a total value of €490.

The Court examined the testimony of the accused and declares that his version of events actually, even if in very small details, corroborates the version of the victim Giovanni Aliprandi. The Court notes further that the accused's general and categorical denial of having committed the snatch and grab does not, at least on a balance of probability, suffice to create a doubt in terms of law.

In this analysis the Court observed the parameters as dictated by Articles 633, 637 and 638 of the Criminal Code.

The Prosecution therefore proved its case beyond reasonable doubt.

Conclusion;

THEREFORE THE COURT, HAVING SEEN ARTICLES 261(C)(F), 267, 270, 279(A) AND 280(1) OF CHAPTER 9 OF THE LAWS OF MALTA, FINDS THE ACCUSED MOHAMED ABDIRISAK AHMED GUILTY AS CHARGED AND CONDEMS HIM TO NINE MONTHS IMPRISONMENT.

Dr Ian Farrugia LL.D
Magistrate

Marica Mifsud
Deputy Registrar