



**Court of Magistrates (Malta)
As a Court of Criminal Judicature**

Magistrate Dr. Doreen Clarke LL.D.

Today, the 16th of April, 2018

**The Police
(Inspector Jonathan Ransley)**

VS

Abraham Kwabena Donyinah

The Court,

Having seen the charges against Abraham Kwabena Donyinah, holder of Ghanaian passport number H2660515:

Charged with during the morning of the 9th April, 2018 at 70, Flat 5, Pace Stret, Sliema wilfully committed any spoil, damage or injury to or upon any moveable or immeovable property when he caused damage to tiles to the detriment of Josef Muscat and /or other persons which damage exceeds two thousand and five hundred Euro (€2,500).

That Court was requested, in case of guilt, to apply the requisites of articles 382A and 383 of Chapter 9 of the laws of Malta.

The Court was also requested, for the security of Josef Muscat and/or other person/s, to apply the requisites of article 412C of Chapter 9 of the Laws of Malta.

Having seen the consent of the Attorney General for this case to be heard summarily by this Court as a Court of Criminal Judicature, and that the defendant had no objection to the case being so heard.

Having seen that defendant admitted the charges brought against him and confirmed this admission of guilt even after being given time to reconsider his plea.

Having heard the submissions regarding the penalty to be meted out.

Having seen the acts of the proceedings.

Having considered

The defendant admitted the charges brought against him; these are consequently sufficiently proved.

Regarding the penalty to be meted out the Court took into consideration on the one hand the nature of the offence of which the defendant is being found guilty, and on the other hand his cooperation with the police, his admission at the earliest stage of these proceedings and the circumstances which led to the commission of the offence.

Wherefore, the Court after having seen sections 325(1)(a) of Chapter 9 of the Laws of Malta, on his admission finds defendant guilty of the charge brought against him and condemns him to eighteen (18) months imprisonment which by application of section 28A of the said Chapter 9 are being suspended for a period of two (2) years. Furthermore and by application of section 28H of Chapter 9 of the Laws of Malta the defendant is being ordered to pay the injured party Josef Musact the sum of three thousand and twenty Euros (€3,020); payment is to be effected within six months. In conclusion, and by application of section 412C of the said Chapter 9, for the protection of the injured party Josef Muscat and for the keeping of the public peace, the Court is placing the defendant under a protection order for a period of one year under the conditions listed in the order given separately.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the peiod of four years and should he fail to abide by the conditions imposed in terms of this judgement.

DR. DOREEN CLARKE
MAGISTRAT