



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

Magistrate Dr. Joseph Mifsud LL.D.

**The Police
(Inspector Nicholas Vella)**

vs

Almer Mabilanga Nanol

Case number 739 / 2018

Today 7th February 2018

The Court,

Having seen the charges against Almer Mabilanga Nanon, holder of residence permit number 0179989A charged with having on the 19th September 2018 in Mosta, in the Maltese Islands, without intent to kill or to put the life of any person in manifest jeopardy, caused harm to Antonio JR Jagapa Arbuis of greivous nature as certified by Dr. J. Zammit (3056) from Mosta Health Centre.

Considered:

Having seen the Prosecuting Officer read out and confirm on oath the charges brought against the accused during the sitting of the 7th February 2019.

Having seen all the documents exhibited in this case.

Having heard the accused during the sitting dated 7th February 2019 register a guilty plea to all the charges brought against him, after he was duly examined.

The Court explained to the accused the consequences of his plea of guilt and after having given the accused sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

The alleged victim declared that he was forgiving the accused and that he had no further pretences in his regards.

After hearing oral submissions regarding punishment.

Considered:

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

Regarding punishment, the Court took into consideration the guilty plea at such an early stage of the proceedings, in thus the court did not have to waste time in gathering further evidence, the accused's clear conviction sheet produced by the prosecution, the fact that the accused has collaborated fully with the police pending their investigation and

the alleged victim declared that he was forgiving the accused and that he had no further pretences in his regards.

The Court is also of the opinion that the accused should benefit from this chance to be helped and address all his problems by means of a probation order.

Decide:-

Thus the Court after having seen the relevant sections at law in particular Article 216 of chapter 9 of the laws of Malta decides to find the accused Almer Mabilanga Nanol guilty of the charges brought against him by the prosecution and puts him under a Probation Order for a period of three (3) years from today in terms of Section 7(1) of Chapter 446 of the Laws of Malta, with the conditions in the same Probation Order herewith attached and which forms an integral part of this judgement.

The Court, in terms of article 7 (7) of Chapter 446 of the Laws of Malta, has warned the offender about the legal consequences if he commits another crime within the prescribed operative period of the Probation Order and/or if he fails to abide by one of the orders stipulated in the Probation Order, and the offender confirmed his will that he will abide by this Probation Order.

The Court orders that a copy of the Probation order be given to the probationer and another copy be sent to the Director Probation Services and Parole so that he assigns a probation officer to be responsible for the supervision of the probationer.

Given that no experts have been appointed in this case, the Court is abstaining from taking further cognisance of the request of the Prosecution to condemn the accused for the payment of the relative expenses.

Furthermore, having seen Article 392A of the Criminal Code, this Court orders that the record of the proceedings together with a copy of this judgment be transmitted to the Attorney General within six working days.

Dr. Joseph Mifsud
Magistrate