



MALTA

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

MAGISTRATE DR IAN FARRUGIA LL.D

Today 18th March 2019

The Police

**(Inspector Leeroy Balzan Engerer
(Inspector Shaun Friggieri)**

Vs

Nnemeka Henry Ajuonuma

The Court;

Having seen the charges brought against **Nnemeka Henry Ajuonuma** holder of Refugee ID Number 21879/18, born in Nigeria on 22nd May 1991, wherein he was accused with having in Saint Gorg Street, St Julian's and, in these Islands, during the night of the 16th and early morning of 17th March 2019 by means of several acts committed by him, even if at different times, which acts constitute violations of the same provisions of the law and are made with one resolution:

1. Fraudulently made, altered, or forged any currency or uttered any forged currency knowing the same to be forged, and this in breach of Sec. 188B (1) of Chapter 9 of the Laws of Malta;

2. By means of an unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event, made gain of not more than of €500 to the prejudice of Albert Cassar and/or 'Footloose' Paceville;

The Court is hereby kindly requested, if in the course of criminal proceedings, the court deems it necessary to order the destruction of counterfeit currency, it shall consult with the Central Bank of Malta beforehand and shall, if and as the Central Bank of Malta may require, refrain from ordering their destruction and proceed to consign such currency to the Central Bank of Malta for examination, as stated in Sec. 188B (1) of chapter 9 of the Laws of Malta; 188F.

The Court is also hereby kindly requested that in pronouncing judgment or in any subsequent order, sentence the person/s convicted, jointly or severally, to the payment, wholly or in part to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

Having heard prosecuting officer on oath;

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

Having heard accused plead guilty to the charges brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having considered the accused's declaration as minuted in today's sitting, following his guilty plea, that he had enough time to think and reconsider such guilty plea, that he clearly understood the nature of the charges brought against him, and that he understood clearly that his guilty plea, as pointed out by this Court, was to lead to serious consequences in terms of punishment;

Having heard submissions by the prosecution and the defence in terms of punishment;

Considers;

That in view of the accused's guilty plea to all charges proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In terms of punishment, this Court is taking into particular consideration the fact that the accused pleaded guilty at the earliest possible opportunity in these proceedings.

THEREFORE, THE COURT, having seen Articles 17, 18, 31, 188B(1), 188F and 309 of Chapter 9 of the Laws of Malta, finds and declares offender **Nnemeka Henry Ajuonuma** guilty as charged and condemns him to a term of imprisonment of two (2) years.

With regards to the terms of Article 188F of Chapter 9 of the Laws of Malta, the Court decides that at this stage it is declaring the forfeiture in favour of the Registrar of Courts of the counterfeit currency exhibited in these proceedings. This declaration is being made without prejudice to any legitimate request that can potentially be made by the Prosecution and/or by the Central Bank of Malta, or by any other authority authorized by law, in terms of the said Article 188F.

Dr Ian Farrugia LL.D
Magistrate

Marica Mifsud
Deputy Registrar