



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

MAGISTRATE NATASHA GALEA SCIBERRAS B.A., LL.D.

Today: 2nd January 2019

**The Police
(Inspector Matthew Spagnol)**

vs

**Emil Pallesen Suhr
Danish Passport no: 209264368**

The Court,

Having seen the charges brought against the accused Emil Pallesen Suhr aged 22 years, son of Jakob and Lone nee' Suhr, born in Denmark on 30th March 1996, residing at 302, Apt. A68, Triq ir-Rebha, Gzira and holder of Danish passport number 209264368;

1. Charged with having on the 1st January 2019, at around 06:00hrs, in Elija Zammit Street, in St. Julian's through imprudence, negligence or unskilfulness in his trade or profession or through non observance of any regulation caused damage to vehicle of make Mercedes with registration number ATY 022, to the detriment of Alan Ciantar (Sec 328(d) of Chapter 9 of the Laws of Malta);
2. Further charged with having on the same date, time, place and circumstances, attempted to use force against Anthony Yacine Mehdi Redant with intent to insult, annoy or hurt him (Sec 339 (d) of Chapter 9 of the Laws of Malta);

3. Further charged with having on the same date, time, place and circumstances in any public place open to the public was found drunk and incapable of taking care of himself (Sections 338 (ff) of Chapter 9 of the Laws of Malta);
4. Further charged with having on the same date, at around 9:30hrs from St. Julian's Police station, while under arrest and detained according to law, escaped from the place appointed for his custody.

Having seen the records of the case;

Having heard the accused plead guilty to the charges brought against him, which plea was confirmed by the accused even after the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences thereof, and allowed him sufficient time to reconsider his reply and to retract it;

Having heard submissions by both parties about the punishment to be inflicted.

Considered that:

In view of the guilty plea filed by the accused, the Court cannot but find him guilty of the charges brought against him.

For the purpose of the punishment to be inflicted, the Court took into consideration the early guilty plea filed by accused and his clean criminal record. It also took into consideration the nature of the offences with which he is charged and furthermore that Prosecution is not insisting upon an effective prison term. Accused is also willing to pay for the damages forming the merit of the first charge.

Conclusion

For these reasons, the Court after having seen Sections 17, Sections 151 and 160, 328(d), 338(ff) and 339(1)(d) of Chapter 9 of the Laws of Malta, upon his guilty plea, finds accused guilty of the charges brought against him and condemns him to a term of six (6) months imprisonment, which by application of Section 28A of Chapter 9 of the Laws of Malta is being suspended for a period of two (2) years from today and to a fine (multa) of three hundred euro (€300). Furthermore in terms of Section 532A of Chapter 9 of the Laws of Malta, it condemns accused to pay Alan Ciantar the value of the damages caused on vehicle of make Mercedes with registration number ATY 022 within a period of two (2) months from today.

The Court explained to the person sentenced, in simple terms, the legal consequences of this judgement should he commit any other offence punishable by imprisonment within the operative period of the suspended sentence.

Natasha Galea Sciberras
Magistrate