



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

Magistrate Dr. Doreen Clarke LL.D.

Today, the 26th October, 2021

**The Police
(Inspector Andy Rotin)**

vs

Abdikadir Mohamud Caw-Ali

Compilation Number 67/2021

The Court,

Having seen the charges against Abdikadir Mohamud Caw-Ali of 23 years, son of Mohamud and Sarah, born in Somalia Dakinhar on the 1st of May 1998, residing in Hamrun and holder of Police Number 13Q-111 and Identity Card with number 0164710A.

Charged him with having on the nineteenth (19) of October 2021 between the hours of nine-thirty in the morning (09:30hrs) and ten-thirty in the morning (10:30hrs) in Balbi Street, Marsa or/and any other whereabouts within the Maltese Islands:-

1. Committed theft of a pouch containing cash amounting to three hundred and fifty (350) Euros which theft is aggravated by the nature of the thing stolen and value, which value does not exceed two thousand, three hundred and twenty-nine Euros and thirty-seven cents (2,329.37 Euros) from Balbi Street, Marsa to the detriment of Mark Scicluna and/or any other person/s and/or other entity/entities;
2. As well as being accused as being a recidivist according to judgments issued by the Court of Magistrates (Malta) which judgments have become absolute.

The Court was requested, where it deems it expedient, in order to provide for the safety of Mark Sciberras or for the purpose of providing for the safety of other individuals or for the keeping of the public peace or for the purpose of

protecting the injured person or other individuals from harassment or other conduct which will cause a fear of violence, issue a protection order against the accused according to Art. 412C of Chapter 9 of the Laws of Malta and if accused is found guilty the court may, where it deems it expedient, for the purpose of providing for the safety of the injured person and other individuals, apply Art. 382A, 383, 384, 385 u 412D of Chapter 9 of the Laws of Malta

The Court was also requested that in case of a guilty plea, to apply section 533 of Chapter 9 of the Laws of Malta with regards to any expenses incurred by the Experts appointed by the Court.

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

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

Having seen the documents filed by the prosecuting officer.

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

Having considered

That defendant admitted the charges brought against him; these are consequently sufficiently proven.

Regarding the penalty to be meted out the Court took into consideration on the one hand the nature of the offences of which defendant is being found guilty and his conviction sheet, and on the other hand his cooperation with the police and his admission at an early stage of these proceedings. The Court also took into consideration that since the defendant was caught *in flagrante delicto* the money stolen was returned to the injured party.

Wherefore the Court, after having seen sections 49, 50, 261(c)(g), 267 and 271(g) of Chapter 9 of the Laws of Malta, on his admission finds the defendant guilty of the charges brought against him and condemns him to sixteen months imprisonment.

DR. DOREEN CLARKE LL.D
MAGISTRATE