



**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.
CONSUELO-PILAR SCERRI HERRERA**

Seduta tat-28 ta' Frar, 2003

Numru 223/2003

**Article 86, 41A, 214, 216, 325(a), 338(r) 338(dd) and
339(1)b) of Chapter 9 of the Laws of Malta**

**The Police
Inspector Mario Tonna
vs**

ANTONIO GALEA

Sitting held today 28th February 2003

The Court,

Having seen that the accused **ANTONIO GALEA** aged 68, son of Joseph and Dolores nee Cachia born on the 27th August 1934 without a fixed abode and in possession of an identity card number 872034M was brought forward before her and charged with having on the 22nd February 2003 at about 06.00 hours

1. without a lawful order from the competent authorities, detained or confined Antonia Xuereb against her will in a vehicle bearing registration number CBI 983 at Adriatic Street, St. Julian's/San Gwann;
2. also with on the same date, time and place under the same circumstances attempted to inflict grievous bodily harm on the person of Antonia Xuereb whilst in a vehicle bearing registration number CBI 983 which crime was not completed in consequence of some accidental cause independent of the will of Antonio Galea;
3. also that on the same date, time and place under the same circumstances wilfully committed by a garden fork, damages on a vehicle bearing registration number CBI 983 to the detriment of Antonia Xuereb from St. Julian's/San Gwann;
4. also on the same date, time and place under the same circumstances at Adriatic Street, St. Julian's/San Gwann, quarreled or fought, although jestingly, to the annoyance or injury of passers by;
5. also that on the same date, time and place under the same circumstances at Adriatic Street, St. Julian's/San Gwann, in any manner whatsoever disturbed the public good order or the public peace; and
6. also that on the same date, time and place under the same circumstances at Adriatic Street, St. Julian's/San Gwann without inflicting any wound or blow, threatened Antonia Xuereb with stones or other hard substances or threw the same or took up any other weapon against the same Antonia Xuereb.

Therefore the Court was requested to provide for the security of Antonia Xuereb in terms of section 383 of the Criminal Code of the Laws of Malta.

The Court having heard the accused plead guilty of the charges brought forward against him and having been assured that the accused understood the nature of the accusations brought forward against him had no alternative but to find the accused guilty of such charges.

The Court having seen all the documents exhibited in these acts in particular the consent of the Attorney

General dated 28th February 2003 in order that proceedings be dealt with summarily in terms of section 370(4) of the Criminal Code and that the accused had no objection for his case to be decided by this Court in its above mentioned jurisdiction.

Having considered:

The Court heard the Prosecution declare that the accused turned up at the Police Station and confirmed his participation in the said accusations from his own free will, that he paid the damages sustained to Antonia Xuereb per saldo as per document CSH 6 in the acts of these proceedings and that Antonia Xuereb forgave the accused for his behaviour and is only interested in a personal guarantee.

The Court also noted the early admission of the accused registered in the acts of the proceedings at the first opportunity given to him.

The Court having seen the relevant sections at law in particular Sections 86, 41A, 214, 216, 325(a), 338(r), 338(dd) and 339(1)(b) of Chapter 9 of the Laws of Malta condemns the accused ANTONIO GALEA to a period of imprisonment of six months which period is being suspended for one year in terms of section 28 of Chapter 9 of the Laws of Malta for the reasons mentioned above.

Also in terms of section 383 of Chapter 9 of the Laws of Malta binds the accused not to molest, insult or threatens Antonia Xuereb for a period of one year under a penalty of one hundred maltese liri in default thereof.

The Court explained the importance of this judgment to the accused and the consequences if he fails to adhere by it.

Kopja Informali ta' Sentenza

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