



MALTA

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

**MAGISTRATE DR.
ANTONIO MIZZI**

Sitting of the 30th September, 2003

Number 808/2003

The Police
(Inspector Dennis Theuma)

VS

Abdul Rahman, son of Abdallah,
born in Somalia on the 1st July, 1977

u

Ali Abdullah Amin, son of
Abdullah Ali, born in Somalia on
The 15th March, 1978

The Court

Having seen the charges proffered against the accused
of having on the night between the 28th and 29th

September, 2003 in Balzan, Malta:

with respect to Abdul Rahman, alone –

1. of having without the intent to kill or to put the life of
any person in manifest jeopardy, inflicted on the person of
Hasan Ahmed Muhammed, a Somali national, injuries of a

grievous nature as certified by Dr. Michael Spiteri of St. Luke's Hospital;

2. for disobeying the lawful orders of the executive police or hindering or obstructing them in the exercise of their duties, or otherwise unduly interfering with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrate or undo what has been lawfully done by other persons, or in any other manner whatsoever;

3. for being found in possession of a sharp pointed instrument (flick knife) without the authorisation of the Commissioner of Police;

with respect to Ali Abdullah Amin, alone –

4. for stealing private property (a cassette tape recorder) belonging to Huan Ahmed Muhammed, which criminal offence is aggravated by time and place;

5. of having without the intent to kill or to put the life of any person in manifest jeopardy, inflicted on the person of Hasan Ahmed Muhammed, a somali national, injuries of a slight nature as certified by Dr. Michael Spiteri of St. Luke's Hospital.

The Court has been requested, where it deems it expedient, in order to provide for the safety of Hasan Ahmed Muhammed or for the keeping of the public peace, in addition to, or in lieu of the punishment applicable to the offence, may require the offenders in case of guilt to enter into their own recognizance in a sum of money to be fixed by the Court.

Having seen the records of the case of the 30th September, 2003 from where it results that the accused admitted to all the charges proffered against them.

Consequently, the Courts finds the accused guilty of all the charges proffered against them. With respect to Abdul Rahman. Having seen sections 214, 218(b) and 338(ee) of the Criminal Code and section 13 of Chapter 66 of the Laws of Malta condemns him to a term of imprisonment of two years. However, having seen section 28A of the Criminal Code orders that such judgement be not executed, if during a period of four years from today, he commits no other offence punishable

Informal Copy of Judgement

with a prison sentence. With respect to Ali Abdullah Amin. Having seen sections 261(e)(f), 269(g), 270, 281(a) and 221(1) of the Criminal Code condemns him to a term of imprisonment of two years. However, having seen section 28A of the Criminal Code orders that such judgement be not executed, if during a period of four years from today, he commits no other offence punishable with a prison sentence.

< Final Judgement >

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