



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

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

Sitting of the 30th August, 2005

Number 765/2005

**The Police
Inspector Josric Mifsud
V**

DUDRU MEHMET YIYEN

The Court

Having seen that the accused **DUDRU MEHMET YIYEN** aged 30 years, son of Ali and Sharifa nee Yiyen, born in K Maras, Turkey, on the 18th August, 1975 and residing at Fredmar Flats, Flat 5, Wignacourt Street, St. Paul's Bay, holder of identity card number 39800L was arraigned before her accused with having in these Islands in St. Paul's Bay, on the night of the 26th August 2005 at around 22.30 without intent to kill or to put the life of any person, that is the life of Mustafa Bulent Kirecci, in manifest jeopardy, caused the mentioned Mustafa Bulent Mirecci

harm to his body which bodily harm is considered grievous, which caused any deformity or disfigurement in his face as certified by Doctor Raymond Borg of the Mosta Health Centre.

Having seen all the documents exhibited in these acts including the statement released by the same accused on the 29th August, 2005 marked as document JM 1 and the medical certificate released by Doctor Raymond Borg marked as document JM 2.

Having heard the accused plead guilty to the charges brought forward against him when he was duly examined in terms of sections 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta and this on the same day of his arraignment today the 30th August 2005.

The Court explained to the accused the consequences of his plea of guilt and after having given him sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea and this in the presence of his defense lawyer.

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

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

The Court took note of the following before proceeding to pronounce judgment in particular the early admission of guilt and consequently the fact that the Court was dispensed from hearing all the evidence of this case and that the accused fully corroborated with the Prosecution during these procedures.

Having taken note of the fact that the accused should be treated as a first time offender due to lack of evidence produced by the Prosecution in this regard.

Having considered as well that the injury inflicted although grievous is not that conspicuous.

Having seen the relevant sections at law in particular Sections 214 and 218 of Chapter 9 of the Laws of Malta, **the Court** decides to find the accused **DUDRU MEHMET YIYEN** guilty on his own admission of the charges brought forward against him and **condemns him for a period of two years which period is being suspended for four years in terms of section 28A of Chapter 9 of the Laws of Malta.**

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

Finally the Court orders that a copy of this judgment together with the acts of these proceeding be sent to the Attorney General within three (3) days in terms of Section 401(3) of the Criminal Code.

< Final Judgement >

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