



MALTA

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

**MAGISTRATE DR.  
ANTONIO MIZZI**

Sitting of the 22<sup>nd</sup> February, 2006

Number 57/2006

The Police  
(Insp Walter Spiteri)

VS

Daniel Haile Tesfamihret, son of  
Haile, born in Sudan on the 1<sup>st</sup> September, 1983

The Court,

Having seen the charges proffered against the accused –

1. at Ħal-Far, on the 22<sup>nd</sup> January, 2006 with intent to commit grievous bodily harm on the person of Yonas Tsege Solomon, manifested such intent with overt acts followed by the commencement of such crime which crime was not executed due to circumstances independent of the will of the accused;
2. at Ħal-Far, on the 22<sup>nd</sup> January, 2006 caused slight bodily harm on the person of Yonas Tsege Solomon, with a pointed and cutting instrument as certified by Dr. David Ellul M.D. of St. Luke" Hospital;

3. at Hal-Far, on the 22<sup>nd</sup> January, 2006 kept and carried a pointed and cutting instrument (knife) without a licence issued by the Commissioner of Police and for having breached the public good order and peace by fighting.

Having seen the note filed by the Attorney General whereby he authorised the Court to hear the case summarily.

Having seen the records of the case of the 22<sup>nd</sup> February, 2006 where Yones Solomon withdrew his complaint against the accused. No further evidence was produced as the complainant was the only person present.

The accused admits to the third charge proffered against him.

The prosecution and the defence counsel pleaded the case in relation to the punishment to be inflicted on the accused.

Consequently, the Court does not find the accused guilty of the first two charges proffered against him and consequently sets him free. The Court finds the accused guilty of the third charge proffered against the accused. Having seen section 13 of Chapter 66 of the Laws of Malta condemns him to the payment of a fine of Lm30.

**< Final Judgement >**

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