



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

**MAGISTRATE
ANTONIO GIOVANNI VELLA**

Sitting of the 13th July, 2007

Number 332/2007

**THE POLICE
INSPECTOR DANIEL ZAMMIT**

VERSUS

ERINDI CELA

The Court;

After having seen the charges brought against Erindi Cela aged 21 years, born in Albania on the 10th of February, 1984, residing at number 5, Triq Matthew Pulis, Sliema, holder of passport number Z0120960;

Accused of having on the 9th July, 2005, at about 2.30am, in the Regional Road, Sliema, driven vehicle with registration number AAU 581:

1. Without policy of insurance or such security in respect of third party risks;

2. Moreover, through imprudence, negligence, and unskilfulness in his art of profession, and non observance of the motor vehicle regulations, caused involuntary injuries of grievous nature on the person of Christa Maria Calleja as certified by Dr Stephen Muscat MD (Reg no 1455) of SLH;

3. And also of having caused involuntary damages on the same vehicle with registration number AAU 581 to the detriment of Drive-A-Way Limited;

4. And also of having caused involuntary damages on a crash barrier to the detriment of the Roads Department, and central strip tree to the detriment of the Agriculture Department.

After having seen the documents exhibited;

After having seen Articles 226 and 328 of Chapter 9 of the Laws of Malta;

And Articles 15(1)(a)(2) of Chapter 65 of the Laws of Malta, and Article 3(1) of Chapter 1 of the Laws of Malta;

After having heard the accused admit to the charges brought against him, after having been given due time according to Law to reconsider his admission.

After having seen that the incident in question was caused by a fortuitous event beyond the driver's control, and after having seen that the witness Christa Maria Calleja, duly summoned, failed to appear in Court;

After having seen the accused's clean conduct certificate, which the Court considers in favor of the accused.

Considers:

The Court therefore finds the said accused guilty as charged, and condemns him to a payment of a fine of Lm1,000.00 (one thousand maltese liri), payable within three (3) years in monthly payments of Lm27.77(twenty-

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seven maltese liri, seventy-seven cents) per month in terms of Article 14(2) of Chapter 9 of the Laws of Malta.

The Courts also orders the suspension of the accused's driving license for one year;

Finally, the Court condemns the accused to a period of six (6) months imprisonment suspended for two (2) years, in terms of Article 28A of Chapter 9 of the Laws of Malta.

< Final Judgement >

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