



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

**MAGISTRATE DR.
ANTONIO MIZZI**

Sitting of the 17 th December, 2007

Number. 1501/2007

The Police
(Insp Joseph Agius)

VS

Tesfazgi Habtom, born in Eritrea on the 1st January, 1986,
fefegee st the Safi Dentention Centre

The Court,

Having seen the charge proffered against the accused
namely,

1. that on the 4th December, 2007 at about 11.00 hours
at the Safi Detention

Centre, caused voluntary damages on the fence which
surrounds the camp

that amounts to more than Lm50 but less than Lm500
(Lm173.82 equivalent

to Euros404.89) to the detriment of the Government of
Malta;

2. that on the same day and circumstances he threatened Joseph Vella with a hard object, who is a person lawfully charged with a public duty, when in execution of the law or a lawful order issued by a competent authority.

Having seen the note filed by the Attorney General whereby he gave his consent that this case be treated summarily.

Having seen the records of the case of the 17th December, 2007 wherein the accused admitted to the charges as proffered.

Having heard the prosecution and the defence counsel for the accused with regard to the punishment to be meted out.

Consequently, this Court finds the accused guilty of the charges as proffered. Having seen sections 96 and 325(1)(b) 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 this sentence does not take effect unless the offender commits another offence punishable with imprisonment for a period of four years from today.

< Final Judgement >

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