



**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.
EDWINA GRIMA**

Seduta tad-19 ta' Awwissu, 2008

Numru. 765/2008

**The Police
(Inspector Priscilla Caruana)**

VS

**Mohammed Farah Mubarig (identity card number
43341A) of 24 years, born in Somalia on the
01/01/1984, son of Mohamed Farah and Halima and
residing at Hal-Far Open Center, limits of Zurrieq**

The Court;

Having seen the charges brought against the accused Mohamed Farah Mubarig in that he was charged with:

1. Having on the 18th of August 2008 at about 19:30hrs wilfully committed any spoil, damage, or injury to or upon any movable or immovable property, vehicle registration number CBJ153, belonging to Josann Attard, which damage exceeds two hundred and thirty-two euros and

ninety-four cents (232.94) but does not exceed two thousand and three hundred and twenty-nine euros and thirty-seven cents (232.37);

2. Also for having on the same date, time, place and circumstances disobeyed the lawful orders of any authority or person entrusted with a public service, or hindered or obstructed such person in the exercise of his duties, or otherwise unduly interfered with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever, unless such disobedience or interference falls under any other provision of this Code or of any other law;

3. Also for having on the same date, time, place and circumstances took an active part in an assembly of ten or more persons for the purpose of committing an offence, although the said assembly may not have been incited by any one in particular;

4. Also for having on the same date, time, place and circumstances wilfully disturbed the public good order or the public peace.

Having seen the documents exhibited;

Having heard that the accused registered a guilty plea to all charges brought against him which admission of guilt was reaffirmed by the accused after having been given sufficient time to reconsider the same;

Considers;

In view of the admission to the charges made by the accused in the acts or the proceedings, the Court finds the accused guilty as charged.

In considering the punishment to be inflicted the Court is taking into consideration the admission filed by the

accused at the early stages of these proceedings, and the clean criminal record of the accused.

Consequently the Court after having seen Section 325(1) (b), 338(ee), 338(dd), 68(2) of the Criminal Code finds the accused guilty of all charges brought against him and condemns the accused to a period of six (6) months imprisonment which period of imprisonment in view of the above made considerations and by application of Section 28A of the Criminal Code is being suspended for a period of two (2) years.

The Court by application of Section 383 of the Criminal Code is binding the accused not to communicate in any way whatsoever with Aris-John Fenech, Mario Camilleri, Anna Spiteri under a penalty of two thousand euros (€2,000) and this for a period of twelve (12) months. The accused furthermore shall in no way and by no means whatsoever proceed to the Hal-Far Open Centre or its vicinities. Finally, by application of Section 28H of the Criminal Code orders the accused to pay the injured party Josianne Attard the sum of seventy euro (€70) to Jason Attard and this within a period of six (6) months from today.

The Court explained to the accused the consequences according to law should she commit a crime within the operative period of this judgement.

The Court orders that a copy of the acts of the proceedings and the judgement be sent to the Attorney General according to law.

< Sentenza Finali >

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