



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

**MAGISTRAT DR.
LAURENCE QUINTANO**

Seduta tas-17 ta' Ottubru, 2008

Numru 239/2008

Drugs 239/2008

**The Police
(Inspector Johann J Fenech)**

versus

Solomon Tesfei Tekle

The Court,

Having seen the charge laid against Solomon Tesfei Tekle, son of Tesfei and Alem nee' Gudeta, born in Eritrea on the 27th May 1990 and residing at Xatt il-Mollijiet, Marsa Open Centre, Mars or Violet Court No 14, Tourist Street Bugibba, holder of ID card number 38187A.

Accused for having on these Islands on the night between the 4th and the 5th of October 2008

- (a) sold or otherwise dealt in the resin obtained from the plant cannabis or any preparations of which such resin formed the base in breach of Section 8(b) of Chapter 101 of the Laws of Malta
- (b) been in possession of the resin obtained from the plant Cannabis or any other preparation of which such resin forms the base in breach of section 8(a) of Chapter 101 of the Laws of Malta
- (c) furthermore for having committed such offences, in or within 100 metres of the perimeter of a school, youth club or centre, or such other place where young people habitually meet.

The Court was requested to condemn the defendant to pay the experts' fees should the defendant be found guilty in accordance with section 533 of Chapter 9 of the Laws of Malta.

Having seen the guilty plea filed by the defendant, which guilty plea was confirmed after being given enough time to reflect on it.

As the defendant has filed a guilty plea, then the charge has been proved in accordance with the law.

The Prosecution has declared that the defendant should benefit from Section 29 of Chapter 101 as he has helped the police in their investigations.

The Court, after seeing Articles 8(a), 8(b), 22(1)(a), 22(2)(b)(i) and the second proviso referring to distance which appears under section 22(2)(b)(i)(ii) of Chapter 101 of the Laws of Malta, finds the defendant guilty and condemns him to a period of six months imprisonment and to a payment of a fine (multa) of 467 Euro , which fine may be paid in instalments of €80 each with the first instalment to be paid within four weeks from today. Should any instalment not be honoured, then the balance will be due forthwith. Any part of the fine (multa) which remains unpaid in the time frame indicated will be

Kopja Informali ta' Sentenza

converted into 1 day of imprisonment for each 11.65 Euro not paid.

The Court orders the destruction of the drug under the supervision of the Registrar.

< Sentenza Finali >

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