



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 29 th March, 2010

Number. 304/2010

**The Police
(Inspector Jesmond Micallef)**

Vs

**Khadir Mohamed Osman of 25 years, son of Mohamed
u Asha nee` Mohomed Handule, born in Somalia on
1st January, 1985, residing at number 81, Flat 2, Luqa
Briffa Street, Gzira and bearer of national identity card
42084A**

The Court:

Having seen the charges brought against accused Khadir Mohamed Osman who has been charged with having on the 27th March, 2010, at about 17:00hrs, on these Islands, whilst at number 81, Flat 2, Luqa Briffa Street, Gzira;

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1) Without intent to kill or to put the life of any person, that is of Mohamed Siciid Mire, in manifest jeopardy, caused injuries of a grievous nature on the person of same Mohamed Siciid Mire, as certified by Dr. Andrew Amato Gauci M.D. of Floriana Health Centre, with an arm improper;

2) And further with having on the same day, time, place and circumstances, even after being provoked, carried his insult beyond the limit warranted by the provocation;

3) And finally with having on the same day, time, place and circumstances, in his possession an arm improper without the necessary licence issued by the Commissioner of Police.

Having seen the documents exhibited;

Having heard the accused admit to the charges brought against him which admission was reaffirmed after the Court gave him adequate time during which to reconsider his admission;

Considers;

That in view of the admission filed by accused the Court finds the accused guilty as charged.

That in considering the punishment to be inflicted the Court is taking into consideration the guilty plea filed by the accused at this early stage of the proceedings and his clean criminal record. Furthermore it results that the victim of this crime has forgiven the accused for the injuries inflicted and that the victim will be also accused in connection with this incident.

Consequently the Court after having seen Section 214, 216(1)(b), 217, 218 and 339(e) of Chapter 9 of the Laws of Malta and Section 6 and 51 of Chapter 480 of the laws of Malta finds the accused guilty as charged and condemns him to a period of two (2) years imprisonment

Informal Copy of Judgement

however in view of the above mentioned considerations and after having seen Section 28A of Chapter 9 of the laws of Malta this period of imprisonment is being suspended for two (2) years and to a fine of €116.47.

The Court warns the accused of the consequences according to law should he commit another crime during the period of this sentence.

The Court orders that the acts of the proceeding and a copy of the sentence be notified to the Attorney General according to law.

< Final Judgement >

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