



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

**MAGISTRATE DR.
AUDREY DEMICOLI**

Sitting of the 27 th April, 2010

Number 420/2010

**The Police
(Inspector Anna Marie Micallef)**

vs

Hamud Nadif Abdirashid

The Court;

Having seen the charge brought against, Hamud Nadif Abdirashid of 23 years, son of Hamud Nadif and Sofia nee' Mohammed Abdullah, born in Mogadishu on the list of January 1987, without a fixed address and holder of Maltese identity card number 44005A, was arraigned before her and charged with having:

Misapplied by converting to his own benefit or to the benefit of any other person, the amount which exceeds two hundred and thirty-two euro and nintey four cents

(€232.94) but does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37), which amount has been entrusted or delivered to him under a title which implies an obligation to return such thing or to make use thereof for a specific purpose and such amount was entrusted or delivered to him by reason of his profession, trade, business, management, office or service or in consequence of a necessary deposit, to the detriment of Ikhedeo Charles, Suleman Wasame Jamal and Mohamed Osmar Khalm.

Having heard the accused plead guilty to the charge brought against him, notwithstanding the fact that the Court warned him of the consequences of his guilty plea after having afforded him sufficient time within which to withdraw his guilty plea.

Having heard the accused plead guilty to the charge brought against him the Court has no alternative but to find the accused guilty of the said charge brought against him.

With regards to punishment the Court took into consideration the fact that the accused pleaded guilty at an early stage of the proceedings and also the fact that the accused has a clean criminal record.

The Court after having seen sections 293, 294 and 310 of Chapter 9 of the Laws of Malta, finds the accused guilty of the charge brought against him and condemns him to two years imprisonment which in terms of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of four years from today.

In terms of section 28H of Chapter 9 of the Laws of Malta, the Court condemns the accused to pay Ikhedeo Charles, Suleman Wasame Jamal and Mohamed Osmar Khalm the sum of five hundred and seventy euro (€570) within six months from today.

The Court declares that it has explained to the defendant the consequences if he fails to abide by the condition

Informal Copy of Judgement

imposed on him in terms of this judgement and the consequences if he commits another crime within the period of four years.

< Final Judgement >

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