



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

**MAGISTRATE DR.
MARSEANN FARRUGIA**

Sitting of the 26 th February, 2011

Number 358/2011

**The Police
(Insp Edel Mary Camilleri)**

vs.

Bernard Oduka

The Court,

Having seen the charges brought against Bernard Oduka of 26 years son of Emanuel and Felicia born in Nigeria on the 20/12/1984, holder of police number 09B-020, residing at Hal Far Open Centre Hal Far, Malta.

Charged with having:

In 2009, later dates in Malta, landed or embarked from Malta without being in possession of a passport and have

not furnished to the Principal Immigration Officer the prescribed information and such other information as the Principal Immigration Officer may deem proper to require, and this in violation of article 28 of Chapter 217 of the Laws of Malta.

After having heard the evidence and seen the all the records of the case.

After having heard the accused plead guilty to the charge at an early stage of the proceedings, which admission was confirmed by the same accused even after the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of that admission, and allowed him sufficient time to re-consider his reply, and to change it;

After having heard the oral submissions on the punishment;

Considered that:

From the evidence brought forward and from the guilty plea filed by the accused himself, the Court concludes that the accused is guilty of the charge laid against him.

As regards the punishment, the Court took into consideration the fact that the accused admitted to the charges at a very early stage of the proceedings, and the fact that he co-operated with the police;

The Court, after seeing Sections 28 and 32(1)(g) of Chapter 217 of the Laws of Malta, finds the accused guilty as charged, and condemns him to two (2) months effective imprisonment.

The Court orders that the records of this case together with this judgement be sent to the Attorney General, within the time-limit prescribed by law.

< Final Judgement >

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