



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

**MAGISTRATE DR.  
GABRIELLA VELLA**

Sitting of the 26 th March, 2011

Number 462/2011

**Police  
(Inspector Edel Mary Camilleri)**

**Vs.**

**Sina Samusi**

**The Court,**

After having seen the charges brought against Sina Samusi, nineteen (19) years of age, son of Mohamed and Hadija born in Gambia on the 1<sup>st</sup> January 1992, holder of Police Number 08AA-006, residing at Hal Far Open Centre, Hal Far, Malta: (1) of having on the 26<sup>th</sup> March 2011 and later dates in Malta, made use or attempted to make use of a passport issued to any other person and this in violation of Article 4 of Chapter 61 of the Laws of Malta; and (2) of having in the same circumstances, as a person who embarked or disembarked from Malta, made use or caused to be made a false return, false statement or false representation and/or furnished the Principal

Immigration Officer with false information, and this in violation of Article 32 (1)(c) of Chapter 217 of the Laws of Malta.

After having heard the evidence and examined all documents forming part of the proceedings;

After having heard the accused plead guilty to the charges brought against him notwithstanding the fact that the Court in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

**Considers:**

In the light of the guilty plea submitted by the accused, the Court has no alternative but to find him guilty of the charges brought against him;

With regards to the punishment the Court heard submissions by the Prosecuting Officer and Defense Counsel and took into consideration the young age of the accused, the fact that the accused has a clean criminal record and that he submitted an early guilty plea;

Therefore whilst having seen and considered Section 4 of Chapter 61 of the Laws of Malta, Section 32(1)(c) of Chapter 217 of the Laws of Malta and Section 17 of Chapter 9 of the Laws of Malta, the Court finds the accused guilty of the charges brought against him and condemns him to one (1) year imprisonment however, since the Court is of the opinion that there are sufficient reasons which warrant that the said term of imprisonment be suspended, in terms of Section 28A(1) of Chapter 9 of the Laws of Malta, suspends the said term of one (1) year imprisonment for a period of four (4) years from date of this judgment;

In terms of Section 28A(4) of Chapter 9 of the Laws of Malta the Court has explained to the accused in plain

Informal Copy of Judgement

language his liability under Section 28B of Chapter 9 of the Laws of Malta if during the operational period he commits an offence punishable with imprisonment.

In terms of Section 392A of Chapter 9 of the Laws of Malta, the Court orders that the records of this case and copy of this judgment be transmitted to the Attorney General within six (6) working days.

**< Final Judgement >**

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