



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 5th March, 2010

Number 103/2010

**The Police
(Inspector Daniel Zammit)**

vs

MONDAY ISEKI

The Court,

Seen the charges brought against Monday Iseki, 33 years old, son of Saki and Rose, born in Nigeria on the 01/01/1977, holder of ID Card No. 46380A and residing at Bellizzi Apts Blk D Flt 1, Triq San Aristarku, San Pawl il-Bahar;

He was accused that on the 10th. February 2010, at around quarter past seven in the evening (19:15 hrs), in Triq San Aristarku, St.Paul's Bay, reviled, threatened or

Informal Copy of Judgement

caused bodily harm to a person lawfully charged with a public duty, while in the act of discharging his duty or because of having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty;

He was also accused that in the same date, time, location and circumstances, he assaulted or resisted by violence or active force, in public, a person lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority;

He was also accused that in the same date, time, location and circumstances, he caused slight bodily harm on the person of PC 409 Joseph Zarb as certified by Dr. Lorraine Tabone (2414) of the Mosta health centre;

He was also accused that in the same date, time, location and circumstances, he wilfully disturbed the public good order or the public peace.

Heard evidence.

Seen the acts of the Case and exhibited documents.

Seen the Attorney General's consent (vide fol. 4 of the acts of the Proceedings) and noted that accused Monday Iseki has no objection to his case being dealt with summarily.

Also noted that in today's Sitting accused in the presence of Counsel for Legal Aid that he is pleading guilty to all charges brought against him.

The Court warned the accused in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked whether he confirms his admission of guilt or not, the accused confirmed that he is pleading guilty to all charges brought against him.

Informal Copy of Judgement

Heard submissions on punishment by the Prosecution and Defence.

Seen sections 17, 95, 96, 221 and 338(dd) of Chapter 9 of the Laws of Malta.

Considering that accused Monday Iseki pleaded guilty to all the charges brought against him, the Court has no alternative but to find said accused guilty of all the charges brought against him and having considered all the circumstances of the Case including the clean Conviction sheet of accused and having seen sections 28A and 28B of Chapter 9 of the Laws of Malta, condemns accused Monday Iseki to the punishment of one year imprisonment and orders that this Sentence as regards to the punishment of imprisonment should not take effect unless during the period of two (2) years as from today accused Monday Iseki commits another offence punishable with imprisonment.

Moreover, the Court, by applying section 383 of Chapter 9 of the Laws of Malta, binds Monday Iseki with a personal obligation of Euro 1000 to keep the peace with PC 409 Joseph Zarb and generally not to disturb the public good order for the period of one year as from today.

Finally the Court is giving accused Monday Iseki the explanation prescribed in section 28A(4) of Chapter 9 of the Laws of Malta.

< Final Judgement >

-----END-----