



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

**MAGISTRATE DR.
GABRIELLA VELLA**

Sitting of the 24 th June, 2011

Number 753/2011

**The Police
(Insp. Geoffrey Azzopardi)**

Vs

Chiaka Dombia

The Court,

After having seen the charges brought against Chiaka Dombia, twenty nine (29] years of age, son of Suleiman and Fatomata, born in Mali on the 1st January 1982 and residing at Hangar Open Centre, Hal Far, bearing Police no. 08II-026, of having in the weeks prior to the 23rd June 2011, in Malta: (i) embarked from Malta without a passport and without furnishing the Principal Immigration Officer the prescribed information and such other information as the Principal Immigration Officer may have deemed proper to require, in terms of Article 28 of Chapter 217 of the Laws of Malta; (ii) made use or attempted to make use of a

passport issued to any other person, in terms of Article 4 of Chapter 61 of the Laws of Malta;

After having 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;

Considered:

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 circumstances of the accused and the fact that the accused submitted an early guilty plea and that he has a clean conviction sheet.

Therefore, after having seen and considered Sections 28 and 32(1)(g) of Chapter 217 of the Laws of Malta and Section 4 of Chapter 61 of the Laws of Malta and after having considered that the second charge brought against the accused is absorbed in the first charge brought against him, 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 of Chapter 9 of the Laws of Malta, suspends the said term of one (1) year imprisonment for a period of two (2) 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 acts of these proceedings together with a copy of this judgment be transmitted to the Attorney General within the period of time stipulated by law.

< Final Judgement >

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