



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

**MAGISTRATE DR.
NEVILLE CAMILLERI**

Sitting of the 15 th March, 2012

Number 291/2012

**The Police
(Inspector Nezren Grixti)**

vs.

Ahmed Tilmo Hassan

The Court,

After having seen the charge brought against the accused Ahmed Tilmo Hassan, twenty three (23) years of age, of Ethiopian nationality, son of Ahmed & Amina, born in Ethiopia on the 1st of January 1989, residing in Hal Far Tent village, Police number 08XX-039 accused of having;

During the month of November 2011, in these islands, committed an offence by embarking from Malta without possession of a passport and without furnishing 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 breach of Article 28 of Chapter 217 of the Laws of Malta.

After having examined all documents forming part of the proceedings, including the consent of the Attorney General for this case to be tried summarily.

After having heard the accused plead guilty to the charge 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.

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

With regards to the punishment, the Court heard submissions by the Prosecuting Officer and Defense Counsel. The Court will be taking into consideration the fact that the accused fully co-operated with the Police, that he submitted an early guilty plea, his clean conviction sheet and the fact that the Prosecution did not insist on an effective term of imprisonment.

Therefore, the Court, whilst having seen and considered Section 28 of Chapter 217 of the Laws of Malta, finds the accused guilty of the charge brought against him and condemns him to a period of 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.

< Final Judgement >

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