



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 19 th September, 2012

Number. 951/2012

**The Police
(Inspector Kevin Police)
(Inspector Carol Fabri)**

vs

Ismail Abubaker Kante

The Court;

Having seen charges brought against accused who was charged with having on the 13th September, 2012, at about 09:00hrs at Safi Detention Centre, Safi Barracks, Safi wilfully committed any spoil, damage or injury to or upon movable or immovable property and belonging to the Government of Malta, which amount of the damage exceeds one hundred and sixteen euro and forty-seven cents (116.47) but does not exceed one thousand and one hundred and sixty four euro and sixty nine cents (1,164.69);

The Court was humbly requested to deal with Ismael Kante Abubaker as recidivist in terms of articles 49 and 50 of Chapter 9 of the Laws of Malta, after having been found guilty by the Magistrates Court by means of a sentence dated 30th March, 2012

Having seen documents exhibited;

Having seen the Attorney General's consent dated 19th September, 2012, for the case to be dealt summarily by this Court;

Having heard accused plead guilty to the charges brought against him which guilty plea was reaffirmed after the accused was given adequate time to reconsider same.

Having heard submissions regarding the punishment to be inflicted;

Considers;

That in view of the guilty plea filed by the accused the Court cannot but find him guilty as charged.

That in considering the punishment to be inflicted the Court is taking into consideration the early guilty plea filed by the accused.

Consequently the Court after having seen sections 325(1)(b), 49 and 50 of Chapter 9 of the Laws of Malta and section 32(1)(c) of Chapter 217 of the Laws of Malta finds accused guilty as charged and condemns him to a period of five (5) months imprisonment.

The Court recommends that the accused be detained at the Forensic Ward of the Corradino Correctional Facility at Mount Carmel Hospital and this due to the state of mental health of the accused.

Finally the Court orders that a copy of the sentence be notified to the Director of the Corradino Correctional Facility.

Informal Copy of Judgement

< Final Judgement >

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