



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

**MAGISTRATE DR.  
EDWINA GRIMA**

Sitting of the 6 th June, 2013

Number. 842/2009

**The Police  
(Inspector Trevor Micallef)**

**Vs**

**-----Omissis-----**

**Solomon Tesfei Tekle, 19 years old, son of Tesfei and  
Alam nee` Gudeta, data of birth 27<sup>th</sup> May 1990, Place  
Eritrea residing Xatt il-Mollijiet, Marsa Open Centre,  
Marsa, holder of Maltese Identity Card No. 38187(A)**

The Court;

Having seen the charges brought against Omissis and  
accuse who were charged with having in these islands on  
the 15th August, 2009 at about half past four in the  
morning (04:30am) from inside 'Footloose Bar' situated at

St. George's Road, St. Julians/or from the vicinity of said Bar:-

1. Committed theft of a bag which contained Euros 50 in cash, mobile phone make LG costing Euro 250 to the detriment of Firniksz Dorina, and also Euro 50 in cash, mobile phone Sony costing Euro 200 and mobile phone make Sony costing Euro 300 to the detriment of Stella Devenyi which theft is aggravated by 'time' and 'amount' (more that Euro 232.56 and less than Euro 2325.58).

2. Accused them further that on the same date, time, place and circumstances, wilfully committed any spoil, damage or injury to or upon movable or immovable property (mobile phone make LG and mobile phone make Sony) which damage exceeds Euro 116.47 (Lm50) but not the amount of Euro 1164.7 (LM500) to the detriment of Firniksz Dorina and Stella Devenyi.

Accused Solomon Tesfei Tekle alone:

3. With having on the same date at about eleven in the morning (11:00am) escaped from the custody of the person or persons charged with his custody.

4. Accused with having on the same date, time, place and circumstances reviled, threatened or caused bodily harm to PC670 Walter Sheldon, a person lawfully charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty.

5. Accused further with having on the same date, time, place and circumstances committed slight bodily harm on the person of PC670 Walter Sheldon.

6. Accused further with having on the same date, time, place and circumstances assaulted or resisted by violence or active force not amounting to public violence, PC670 Walter Sheldon, lawfully charged with a public duty when in the execution of the law or of a lawfully order issued by a competent authority.

7. Accused further with having on the same date, time, place and circumstances wilfully committed any spoil, damage or injury to or upon movable or immovable property (wrist watch and radio ear piece) which damage exceeded Euro 23.29 but not Euro 116.47, to the detriment of P#c670 Walter Sheldon.

8. Accused further with having on the same date, time, place and circumstances through impudence or negligence caused damage, spoil or injury to the detriment of the Commissioner of Police and the Government of Malta.

9. Accused further with having on the same date, time, place and circumstances wilfully disturbed the public good order or th0065 he public peace.

10. Accused further with having on the same date, time, place and circumstances disobeyed the lawful orders of any authority or of any person entrusted with a public service, or hindered or obstructed such person in the exercise of his duties or otherwise unduly interfered with the exercise of such duties either by preventing other persons from doing what they were e lawfully enjoined or allowed to do, or frustrating or undoing what had been lawfully done by other persons, or ain any other manner whatsoever.

Having seen documents exhibited;

Having heard the evidence;

Having seen the consent of the Attorney General for the case to be treated summarily by this Court dated 28<sup>th</sup> August, 2009;

Having heard accused register a guilty plea which guilty plea was reaffirmed after the Court gave him considerable time to reconsider same;

Having heard submission regarding the punishment to be inflicted;

Considers;

The in view of the guilty plea filed by accused, and in view of the evidence heard in the case the Court cannot but find accused guilty as charged;

That in considering the punishment to be inflicted the Court will take into consideration the guilty plea filed by the accused but cannot ignore that accused is guilty of relapsing.

Consequently the Court after having seen Section 261(c)(f), 267, 270, 280(1) and 279(a), 325(1)(b), 95, 96, 221, 328, 338(dd)(ee) and 17(h)(b) of Chapter 9 of the Laws of Malta finds accused guilty as charged and condemns him to a period of ten (10) months imprisonment.

**< Final Judgement >**

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