



MALTA

QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI
MAGISTRAT DR.
EDWINA GRIMA

Seduta tas-26 ta' Frar, 2014

Numru. 200/2014

The **Police**

(Inspector Johann J. Fenech)

(Inspector Kevin Pulis)

Vs

John Kwaku (Imm no 13S-035) of 25yrs, born in Ghana on the 01/01/1988 s/o Akwasi and Daina Abina and detained at Lyster Barracks, Hal-Far

Ernest Eselbor (Imm no 13T-057) of 29 years, born in Nigeria on the 08/06/1984 s/o Elebor and Giliana02 and detained at Lyster Barracks, Hal-Far;

Godstine Otoide (Imm no 13S-068) of 17 yres born in Nigeria on the 01/01/1997, s/o Otoide and Maria and detained at Lyster Barracks, Hal-Far;

Darlington Ubhimihiye (Imm No 13S-062) of 31 yrs, born in Nigeria on the 17/07/1982, s/o Ubhimihiye and Monica and detained at Lyster Barracks, Hal-Far;

Jonathan Moses (Imm no 13S-041) of 23 yrs, born in Nigeria on the 24/09/1990, s/o Moses and Ester and detained at Lyster Barracks, Hal-Far;

Jude Austin (Imm no 13S-064) of 31 years, born in Nigeria on the 10/12/1982, s/o Austin and Maria and detained at Lyster Barracks, Hal-Far, and

Wisdom Erhunmwunse (Imm no 13S-063), born in Nigeria on the 24/10/1984, s/o Moses and Roselyn and detained at Lyster Barracks, Hal-Far.

The Court;

Having seen charges brought against accused who were charged with having on the 25th February, 2014 at Lyster Barracks, Hal-Far;

1. Reviled, threatened or caused bodily harm to persons lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty;

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2. Assaulted or resisted by violence or active force not amounting to public violence persons lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority;
3. Committed spoil, damage or injury to or upon any movable or immovable property belonging to any other person, which damages do not exceed €1,164.69 to the detriment of the Government of Malta;
4. Took an active part in an assembly of ten or more persons for the purpose of committing an offence although the said assembly may not have been incited by anyone in particular.

Having seen documents exhibited;

Having heard accused plead guilty to the charges brought against them which guilty plea was reaffirmed after the accused were 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 finds them 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 and the fact that the accused declared that they regret the incident caused.

Consequently the Court after having seen Sections 95, 96, 325(1)(b), 79 and 17(h) of Chapter 9 of the Laws of Malta finds accused guilty as charged and

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condemns them to a period of one (1) year imprisonment which period of imprisonment after the application of section 28A of Chapter 9 is being suspended for a period of two (2) years from today.

< Sentenza Finali >

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