



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
CHARMAINE GALEA

Sitting of the 2 nd July, 2014

Number. 609/2014

The Police
(Inspector Joseph Mercieca)

vs.

Joseph Boatimah

The Court;

Having seen that the offender **Joseph Boatimah, son of Joshua and Grace nee` Nimiku , born on the 20th June 1991 in Ghana, resides at Bugibba, holder of Ghana I.D. E14650985** was charged with having in these islands on the 30th June 2014 at around 03.15 Hrs in St. Julians or in the vicinity:-

1. Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the person of Daniel Anthony Lyth as certified by Dr L.A.Micallef M.D. (Art. 216 of the Chapter 9 of the Laws of Malta).
2. Reviled or threatened, or caused a bodily harm to PS1354 Claudio Coppola and PC131 Nathan Bugeja, persons charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty, or with the intent to intimidate or unduly influence them in the discharge of such duty Chapter 9 Art 95;
3. Disobeyed the lawful orders of any authority or of any person entrusted with a public service, or hinders or obstructs such person in the exercise of his duties, or otherwise unduly interferes with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any manner whatsoever. (Art. 338 ee) of the Laws of Malta).
4. Accuse them further for having on the same date, time, place and circumstances wilfully disturbed the public peace and order. (Art. 338(dd) Chapter 9 of the Laws of Malta).

Having seen that the offender admitted the charges brought against him and confirmed this admission of guilt even after having been given time to reconsider his plea;

Having seen the acts of the proceedings;

Having heard the submissions regarding the penalty to be meted out to the offender whereby both parties agreed that the Court can consider a suspended prison term instead of an effective one;

Having considered:

That offender admitted the charges brought against him and hence these are consequently sufficiently proved;

Regarding the penalty to be meted out the Court took into consideration the nature of the offences of which the offender is being found guilty, his admission at the earliest stage of these proceedings and his clean conviction sheet;

Wherefore the Court, after having seen sections 95, 216, 338 (ee) and 338 (dd) of Chapter 9 of the Laws of Malta, on his admission finds the offender **Joseph Boatimah** guilty of the charges brought against him and condemns him to **twelve (12) months imprisonment which by application of section 28A (1) of Chapter 9 of the Laws of Malta are being suspended for a period of three (3) years from today.** The Court is also condemning the offender to a **fine (multa) of €850 (eight hundred and fifty euro)** which is to be paid immediately.

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the offender, and the consequences which would follow if he fails to abide by it, that is if he commits another offence which is punishable by imprisonment within the operative period of three years from today.

Finally, in terms of section 392A (2) of the Criminal Code, the Court orders that the acts of this case together with a copy of this judgment be notified to the Office of the Attorney General within the time prescribed by law.

< Final Judgement >

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