



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
AUDREY DEMICOLI

Sitting of the 21 st December, 2014

Number. 1275/2014

Police
Inspector Trevor Micallef
vs

Liban Mohamed Abib

The Court;

Having seen the charges brought against Liban Mohamed Abib son of Mohamed Abib and Nuro nee' Mohamed Ilmi, born in Mogadisho, date of birth unknown, residing at Hal-Far Open Centre Birzebugia and holder of police number 14A077.

Accused with having in these island on the 21st December, 2014 at about twenty to four in the morning (03:40hrs) in Triq il-Gizimin, Swieqi:-

With intent to commit a crime, manifested such intent by overt acts which were followed by a commencement of the execution of the crime by attempting to commit theft from inside vehicle bearing registration no. PEA555 make Daihatsu to the detriment of Marie Ellul Mercer and/or other persons which crime was not completed in consequence of some accidental cause independent of hi will which theft if committed would have been aggravated by 'means', 'time' and nature of thing stolen.

Having heard the accused plead guilty to the charges brought against him, notwithstanding the fact that the Court warned him of the consequences of his guilty plea after having afforded him sufficient time within which to withdraw his guilty plea, the Court has no alternative but to find him guilty of the charges brought against him.

With regards to punishment the Court took into consideration the fact that the accused filed an early guilty plea and the fact that accused was drunk and afterwards excused himself for what happened.

For the abovementioned reasons and after having seen section 41(1)(a), 261, 263, 270, 271 and 278 of the Criminal Code the Court finds the accused guilty of the charge brought against him and condemns him to twelve (12) months imprisonment which in terms of Section 28A of the Criminal Code are being suspended for a period of two (2) years from today.

After having seen Articles 392 A (2) u 401 (3) of Chapter 9 of the Laws of Malta, the Court orders that all the acts of the proceedings together with a copy of judgement be sent to the Attorney General in terms of Law.

< Final Judgement >

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