



MALTA

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

MAGISTRATE DR.

NATASHA GALEA SCIBERRAS

Sitting of the 19 th November, 2014

Number 1125/2014

The Police

(Inspector Mario Haber)

vs

Mohamed Abdulrizak Ahmed

Police Number : 13Q-040

The Court,

After having seen the charge brought against the accused Mohamed Abdulrizak Ahmed, for having in a date not known, in November 2013, as a person landing or embarking in or from Malta, failed to be in possession of a passport and failed to provide the Principal Immigration Officer the prescribed information and such other information that the Principal Immigration Officer may deem proper to require (Chapter 217, Section 28 of the Laws of Malta).

Having seen the records of the case, including the consent of the Attorney General in terms of Article 370(4) of Chapter 9 of the Laws of Malta;

Having also seen that during his examination in terms of Articles 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta, the accused declared that he had no objection for his case to be dealt with summarily and also pleaded guilty to the charge brought against him, which guilty plea was confirmed by the accused even after the Court, in terms of Article 453(1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of his plea, and allowed him sufficient time to reconsider his reply, and to change it;

Having heard the parties submissions on the punishment to be inflicted.

Considered that:

In view of the guilty plea filed by the accused, the Court cannot but find him guilty of the charge brought against him.

For the purpose of the punishment to be inflicted, the Court took into account the early guilty plea filed by the accused, that he cooperated with the police and that he is a minor.

Conclusion:

For these reasons, the Court, after having seen Articles 28 and 32(1)(g) of Chapter 217 of the Laws of Malta, finds the accused guilty of the charge brought against him and condemns him to six (6) months imprisonment which, by application of Article 28A of Chapter 9 of the Laws of Malta is being suspended for a period of one (1) year from today.

The Court explained in clear and simple terms the meaning of this judgement to the accused and the legal implications should he commit any other offence punishable by imprisonment during the operative period of this suspended sentence.

< Final Judgement >

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