



MALTA

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

Sitting of the 13 th February, 2015

Number. 884/2014

Police
(Inspector Kylie Borg)
vs
Bougah Ishag Abdalla Ajan

The Court;

Having seen the charges brought against Bougah Ishag Abdalla Ajan of 30 years, son of Ishag Abdalla and Awa Abdalla nee Suleiman, born in Darfur in Sudan on the 1st January, 1983, residing at 116, Azzopardi Street Marsa and holder of Maltese Id Card bearing number 35068A.

And charge him with having on the 27th July, 2014 at about 10:00hrs, in Qormi;

- 1) Cause bodily harm which is deemed to be grievous on the person of Abdul Zhine Defal Osman, as certified by Dr. Cuschieri MD (Reg No: 3573).

Having seen all the acts of the proceedings including the Attorney General's consent dated 15th September, 2015 (exhibited at. folio 6 of the proceedings) for this case to be heard summarily.

Having seen all records of the proceedings.

Having seen that on the 12th of December, 2014 the Civil Party Abdul Zhine Dafal Osman renounced to Criminal Action in relation to the accused and declared that he was opting not to give evidence in these proceedings because there are separate proceedings and relative charges in his regard relating to the incident de quo and there is therefore the possibility that he might incriminate himself.

Having considered that the Prosecution failed to bring forward any evidence which proves to a level of beyond reasonable doubt that the accused caused injuries of a grievous nature to the Civil Party on the 27th July, 2014 at around 10am, the Court has no alternative other than to declare the accused as not guilty of the charge brought against him.

Informal Copy of Judgement

For the above mentioned reasons the Court declares the accused as being not guilty of the charge brought against him and consequently acquits him from the said charge.

< Final Judgement >

-----END-----