



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
IAN FARRUGIA

Sitting of the 6 th June, 2015

Number. 476/2015

The Police

(Inspector Elton Taliana)

Vs

Mahamoud Farey Gurre

The Court;

Informal Copy of Judgement

Having seen the charges brought against Mahmoud Farey Gurre holder of Egyptian ID number 54361(A), wherein he was accused with having on the 6th June 2015 at about 06:15Hrs in St. George's Bay, St. Julian's :

1. Committed theft of mobile phone of make Nokia to the detriment of Mladen Stojanovic, which theft exceeds two hundred and thirty-two Euros and ninety four cents (232.94 Euro) but does not exceed two thousand and twenty nine Euros and thirty seven cents (2329.37 Euro), which theft is aggravated by 'amount' and 'time'.

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charge as brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having heard prosecuting officer on oath;

Having seen the minutes of today's hearing;

Having heard submissions by the prosecution and the defence;

Considers;

That in view of the accused's guilty plea to the charge as proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

Informal Copy of Judgement

In terms of the most applicable sanction to be imposed, this Court is taking into particular consideration the fact that the accused pleaded guilty at the earliest possible opportunity in these proceedings. It is to be pointed out that Mr. Mladen Stojanovic retrieved his mobile phone during today's sitting.

In view of the above, it is the opinion of this Court that, having regard to all the circumstances of the case, the nature of the offence and the character of the accused, it is inexpedient to inflict punishment and consequently deems it fit to discharge the accused in terms of Article 22 of Chapter 446 of the Laws of Malta.

Therefore, The Court, having seen Articles 261, 267, 270, 279, and 280 of Chapter 9 of the Laws of Malta, finds and declares offender Mahamoud Farey Gurre guilty of the charge as brought against him and discharges the offender subject to the condition that he commits no offence for a period of two years from today, and this in terms of Article 22 of Chapter 446 of the Laws of Malta. In terms of said Article 22 of Chapter 446, the Court explained to the offender in ordinary language that if he commits another offence during the period of conditional discharge, the offender will be liable to be sentenced for the original offence.

< Final Judgement >

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