



Court of Magistrates (Malta)
As a Court of Criminal Judicature

Magistrate Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)

Today, the 7th May, 2016

The Police
(Inspector Elton Taliana)

-vs-

Vasiljevic Strahinja, holder of
Serbian Passport No. 012373425

Panic Milan, holder of
Serbian Passport No. 012407416

The Court,

Having seen the charges brought against the accused persons Vasiljevic Strahinja and Panic Milan -

For having on these Islands on the 01st May, 2016, at about six in the morning (06:00a.m) in St. Julian's and/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 Bilal Qadir;
2. for having on the same date, time, place and circumstances provoked a tumult or an affray for the purpose of committing a homicide or a bodily harm to the detriment of Bilal Qadir;
3. for having on the same date, time, place and circumstances wilfully disturbed the public peace and order;
4. for having on the same date, time, place and circumstances operated as a private guard agency or acted as a private guard or offered their services as such, without a licence.

The Court was requested to provide for the safety of Bilal Qadir according to article 383, Chapter 9 of the Laws of Malta, should the accused be convicted.

Having seen all the acts and documents exhibited;

Having seen the Attorney General's consent so that this case be tried summarily and having heard the accused declare that they have no objection that the case be so tried;

Having heard the accused plead guilty to the charges brought against them, notwithstanding the fact that the Court warned them in the most solemn manner of the legal consequences of their guilty plea, after having given them sufficient time within which to reconsider and withdraw their guilty plea;

Having heard the prosecution and defence counsel make their submissions;

Considers:

Having heard the guilty plea of the accused to the charges brought against them, the Court has no alternative but to declare the accused guilty of all the charges brought against them.

With regards to punishment the Court took into consideration the fact that the accused pleaded guilty at a very early stage of the proceedings. However, the fact that the crimes were committed by people who are supposed to provide for the safety of others, as well as of the fact that the accused were operating without the necessary licence as security guards and thus their actions reflect the *raison d'être* of licensing requirements which they, together with their employers circumvented, coupled to the

serious nature of the offences of which they stand charged, lead the Court to impose a suspended sentence in its maximum.

For the said reasons, the Court, after having seen articles 17, 31, 216, 238(a), and 338(dd) of Chapter IX of the Laws of Malta and article 25 of Chapter 389 of the Laws of Malta, upon their admission finds the accused guilty of the charges brought against them and condemns them to two (2) years' imprisonment which, by application of article 28A of Chapter IX of the Laws of Malta, are being suspended for a period of four (4) years.

The Court explained to defendants, in ordinary language, the consequences should they commit another offence within the period of four years.

**Dr Donatella Frendo Dimech LL.D., Mag. Jur. (Int. Law).
Magistrat**