



MALTA

**IN THE COURT OF MAGISTRATES (MALTA)
AS COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE
DR. CHARMAINE GALEA**

Today the 4th May 2016

**The Police
(Inspector Maurice Curmi)**

vs.

**Teodor Hristov
(Bulgarian ID card 643844671)**

The Court:

Having seen that the offender Teodor Hristov was charged with having:

On the 3rd May 2016 at about six in the afternoon (18:00hrs) and the preceding weeks in Malta, committed several acts at different times, but violated the same provision of the law, and were committed in pursuance of the same design, with his course of conduct caused fear to his mother Penka Stefanova Hristova and her partner Ivaylo Vesselinov Lilov who all live together in the same household that violence will be used against them, according to Articles **18** and **251B (1)** of Chapter 9 of the Laws of Malta;

Also accused with having on the same date, place and circumstances, uttered insults or threats to his mother and to her partner, not otherwise provided for in this Code, or being provoked, carried your insults beyond the limit warranted by the provocation, according to Article **339(1)(e)** of Chapter 9 of the Laws of Malta;

Furthermore, the Court was humbly requested that apart from the punishment prescribed by law, orders the person convicted to the payment of the cost incurred in connection with the employment in the proceedings of any expert or referee, according to article **532A, 532B u 533** Chapter 9 of the Laws of Malta.

Having seen the consent of the Attorney General for this case to be tried summarily, and that the offender had no objection to the case being so tried;

Having seen that the acts of the proceedings;

Having heard the offender plead guilty to the charges brought against him, which guilty pleas was reconfirmed after the Court gave him time to reconsider such plea;

Having heard the submissions regarding the penalty to be meted out.

Having considered:

That offender admitted the charges brought against him and hence these are consequently sufficiently proved;

Regarding the penalty to be meted out the Court took into consideration the nature of the offences of which the offender is being found guilty and his admission at the earliest stage of these proceedings;

The Court also took into consideration the evidence given by the offender's mother who recounted that the offender has been living with her for the past five (5) months and that whenever he gets drunk he acts violently;

Wherefore the Court, after having seen section 251B (1) and section 339 (1) (e) of Chapter 9 of the Laws of Malta, on his admission finds the offender **Teodor Hristov** guilty of the charges brought against him and condemns him to **three (3) months imprisonment which by application of section 28A (1) of Chapter 9 of the Laws of Malta are being suspended for a period of two (2) years from today.**

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the offender, and the consequences which would follow if he

fails to abide by it, that is if he commits another offence which is punishable by imprisonment within the operative period of two (2) years from today.

Additionally, the Court is also issuing a Protection Order in terms of section 412 C of the Criminal Code in favour of Penka Stefanova Hristova and Ivaylo Vesselinov Lilov under the conditions mentioned in the decree attached to this judgement and which forms an integral part of the same.

Finally, since no proof was made of any costs incurred in connection with the appointment of any experts or referees, the Court is hereby not taking cognizance of the request of the Prosecution to condemn the offender to pay such costs.

Dr. Charmaine Galea
Magistrate

Diane Gatt
Deputy Registrar