



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

Magistrate Dr. Monica Vella LL.D., M.Jur

The Police
(Inspector Jeffrey Scicluna)

vs

Denis Panchenko and Viktor
Otroshko

Today, 31st May 2017

The Court;

Having seen the accusations brought against:

Denis Panchenko, 30 years, son of Ivan and Galina nee' Shilina born in the USSR on 26th April 1987 and holder of Russian Passport number 71 2690555 expiring on 22nd November 2020 and;

Viktor Otroshko, 32 years, son of Anatoly and Natalia nee' Dudar born in the USSR on 13th January 1985 and holder of

Russian Passport number 75 2848494 expiring on 18th February 2026;

Charged with having on the 29th May 2017, inside Maltese territorial waters and in the islands;

Made use of a boat or ship bearing the name ‘Ebruzen’ inside Maltese territorial waters of Malta whilst the same boat or ship was not registered with the Authority in a Small Ships Register established in the terms of regulations made under this article, or was not registered under the Merchant Shipping Act, or was not registered or documented to the satisfaction of the Authority under the law of any country other than Malta, and this in breach of article 4(1) of Chapter 352 of the Laws of Malta.

And by the decree of the court of 31st May 2017 the following was added “In the case the accused are found guilty the Prosecution requests that the said boat or ship bearing the name ‘Ebruzen’ be confiscated.”

Having seen all documents exhibited by the Prosecution;

Having seen the records of the case;

Having explained to the accused the charges against them;

Having heard the accused plead guilty to said charges in today’s sitting, and this in the presence of Defence Counsel Dr. Martin Fenech, thus upon such guilty plea the Court can only find the accused guilty as charged;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider their guilty plea and having heard the accused reconfirm their guilty plea during their arraignment before this Court and thus said guilty plea was registered in the acts of today's sitting, the 31st May 2017;

Having heard the submissions of the prosecution and of the defence;

Therefore;

The Court, after having seen Article 4 (1) and 42 of Chapter 352 of the Laws of Malta and Article 23 of Chapter 9 of the Laws of Malta, hereby finds the accused guilty as charged and condemns both the accused, Denis Panchenko and Viktor Otroshko, to ten (10) days effective imprisonment and orders the confiscation of the said vessel "Ebruzen" in favour the Government of Malta.

The Court explained in ordinary language to the accused their obligations arising out of this judgement.

(ft) Magistrate Dr. Monica Vella LL.D, M. Jur.

(ft) Angelo Buttigieg

Deputy Registrar