

**Court of Magistrates (Malta)  
As A Court of Criminal Judicature**

**Magistrate Dr. Claire L Stafrace Zammit B.A. LL.D.**

**The Police  
[Inspector Elton Taliana]**

**vs**

**Mitko Georgiev**

**Case Number: 169/2017**

**Today, the 18<sup>th</sup> of September, 2017**

**The Court,**

Having seen that the accused Mitko Georgiev holder of Bulgarian ID 645224519 was charged with having on the 28<sup>th</sup> November 2016 and the days before in Bahar ic-Caghaq and in other places in the Maltese Islands, committed several acts, even if at different times, constitute violations of the same provisions of the law, and were committed in pursuance of the same design:-

1. By means of any unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event, made any gain of not more than 5,000 Euros to the prejudice of Eleonora Cali, Kasseb Ahmad Bassam and Abdulkhalek Yasin;
2. Made to the Prejudice of Eleonora Cali, Kasseb Ahmad Bassam and Abdulkhalek Yasin other fraudulent gain.

In case of guilt Mitko Georgiev is to be treated as a recidivist, after having been found guilty by a decision of the courts of Malta, which decision has become *res judicata* and cannot be changed.

Heard examination of accused whereby he pleaded not guilty to the charges brought against him;

Heard all evidence brought by the prosecution;

Seen that accused pleaded guilty to the charges brought against him on the sitting of the twenty fourth (24<sup>th</sup>) of July of the year two thousand and seventeen (2017);

Seen that on the same sitting the accused pleaded guilty to all the charges brought against him and that he paid the aggrieved parties the amount of six hundred Euros (€600) as a part payment of a greater sum owed by him;

Seen that accused is a recidivist but however the relevant judgments were not duly presented;

Having considered the early guilty plea and the fact that accused paid a great part of his dues before the actual judgment and is willing to pay the rest soon

after judgment, this Court is not going to impose a judgment of effective imprisonment;

On the above basis and after having seen Articles 49, 50, 289, 308, 309 and 310 of Chapter 9 of the Laws of Malta, finds accused Mitko Georgiev guilty of all the charges brought against him and by virtue of Article 28A of Chapter 9 condemns him to one (1) year imprisonment suspended for (3) years.

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**Ft./Dr. Claire L. Stafrace Zammit B.A. LL.D**  
**Magistrate**

**Benjamina Mifsud**  
**Dep. Reg**