

**COURT OF MAGISTRATES (GOZO)
AS A COURT OF CRIMINAL JUDICATURE**

MAGISTRATE: Dr Joanne Vella Cuschieri B.A., Mag. Jur. (Eur. Law.), LL.D.

Today 31st October 2017

Police
(Inspector Bernard Charles Spiteri)

-vs-

Leendert Dallau, holder of Maltese residence document number MT7628066 aged 64 years, son of Charles and Wilhelmina nee' Kramer born in Rotterdam Netherlands, on the 28th June 1953, and currently is residing at 'Sardinella', Patri Matthew Sultana street, Xaghra.

The Court,

Having seen the charges brought against Leendert Dallau, holder of Maltese residence document number MT 7628066 aged 64 years, son of Charles and Wilhelmina nee' Kramer born in Rotterdam Netherlands, on the 28th June 1953, and currently residing at Sardinella, Patri Matthew Sultana Street, Xaghra with having on the 14th October 2017, whilst he was in your capacity as a bus driver aboard bus number 312, at some time between 14.00hrs and 14.30hrs whilst he was in Gozo;

1. Committed theft of a wallet and local currency, which amount does exceed two hundred and thirty-two and ninety four cents (232.94) but does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37) to the detriment of Dennis Jenner and Elizabeth Helen Jenner, which theft is aggravated by amount and person.

After having seen all the records of the case;

After having heard the accused plead guilty to the charges at an early stage of the proceedings, which admission was confirmed by the same offender after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned him of the legal

consequences of that guilty plea, and allowed him sufficient time to re-consider his reply, and to change it;

After having heard the oral submissions on the punishment;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offender himself, the Court concludes that the offender is guilty of the charges laid against him.

As regards the punishment, the Court took into consideration the fact that the offender admitted to the charges at a very early stage of the proceedings, that he co-operated with the police, and his clean conviction sheet.

For these reasons the Court after having seen sections 267, 268 (1), 279 (a) and 280 of Chapter 9 of the Laws of Malta on his admission finds offender guilty of the charges brought against him and conditionally discharges accused Leendert Dallau under the Provision of Section 22 (1) of Chapter 446 of the Laws of Malta on condition that said accused Leendert Dallau commits no offence during the period of three (3) years as from today.

Finally the Court is giving accused Leendert Dallau the explanation prescribed in Section 22(3) of Chapter 446 of the Laws of Malta.

(sgd.) Dr Joanne Vella Cuschieri
Magistrate

(sgd.) Maureen Xuereb
D/Registrar

True copy

D/Registrar

