

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

**Sections 279(a), 280 and 334 of Chapter 9
of the Laws of Malta**

**Magistrate
Dr Consuelo Scerri Herrera LL.D. DIP. MATR. (Can)**

**The Police
(Inspector Nikolai Sant)**

vs

LASHA MENAGARISHVILI

Today, 6th February 2018

The Court,

Having seen that the accused **LASHA MENAGARISHVILI**, holder of Georgian Passport No. 17AA10340 was arraigned before her and charged with having on the 28th January 2018 at around 03.30hrs in St Julians:

1. Committed theft of a mobile phone make I phone, wallet, HSBC visa debit card, driving licence, and twenty euros (€20) in cash, to the detriment of Christine Cassar, which theft is aggravated by amount and time;
2. Knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence, whether committed in

Malta or abroad, or shall knowingly take part, in any manner whatsoever, in the sale or disposal of the same.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular the consent of the Attorney General for the case to be dealt with summarily, a true copy of the passport of the accused, the statement of the accused, a police report and a DVD.

Having heard the accused declare that he does not understand the Maltese language and neither the English language.

Having seen that the Interpreter Olena Borg speaks the English language, the Court ordered that the proceedings are to be held in the English language in terms of Section 5 of the Judicial Proceedings Act.

The Court appointed Olena Borg as interpreter to translate from the Russian language to the English language and vice versa.

Having heard the accused declare that he is indigent and the Court appointed Dr Noel Cutajar as Legal Aid Lawyer to assist the accused.

Having heard the accused plead guilty to the charges brought forward against him.

The Court explained to the accused the consequences of his plea of guilt in the presence of his legal aid lawyer and after having given the accused sufficient time to reconsider his guilty plea and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charge brought forward against him.

Having heard the Prosecution declare that the charge of receiving stolen property is an alternative charge to the accusation of theft.

Thus the Court, having seen the relevant sections at law, in particular Sections 279(a), 280 and 334 of Chapter 9 of the Laws of Malta, decides to find the accused LASHA MENAGARISHVILI guilty of the charge of theft brought forward against him by the prosecution and condemns him to one year imprisonment suspended for two years in terms of Section 28A of Chapter 9 of the Laws of Malta and decides to find the accused not guilty of the charge of receiving stolen property and acquits him of such charge.

**Dr Consuelo Scerri Herrera LL.D.
Magistrate**