

Court of Magistrates (Malta)
As a Court of Criminal Judicature

Magistrate Dr Josette Demicoli LL.D

The Police
(Inspector Shawn Pawney)

vs

Honeylette Albisa Matugas

Today 1st September 2018

The Court,

Having seen the charges brought against Honeylette Albisa Matugas of 57 years, daughter of Celerinou and Eme Matugas born in the Philippines on the 11th May 1961 and resident at Polmar, St Therese Street, Zabbar holder of residence permit number MT5041840 (ID 79550)

Accused that with several acts committed, even if at different times, which constitute the same provision of the law or of related provisions of the law, and are committed in pursuance of the same design:

1. Between the fifth August 2018 at around 16.45hrs, from an ATM located in front of HSBC Bank in Zabbar Road, Fgura, and the sixth of August 2018, at around 18.20hrs, from an ATM located in front of HSBC Bank at Republic Street, Valletta, and/or other dates and times in these islands: having committed theft of cash money and/or other objects to the detriment of Jelena Buvac (ID 150984A), which theft is aggravated with the amount, since the value exceeds €232.94 but does not exceed €2,329.37, which actions go against the provisions of article 261(c), 267 and 18 of Chapter 9 of the Laws of Malta.

2. And also that she has 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 knowingly took part, in any manner whatsoever, in the sale or disposal of the same, which actions go against the provisions of article 334 of Chapter 9 of the Laws of Malta.

Having seen the Attorney General's consent so that this case be tried summarily and that the accused declared that she has no objection that her case be treated as such.

Having heard the accused admit the charges brought against her and that she confirmed her guilty plea after the Court gave her time to reconsider her position.

Having seen all the acts and documents.

Considers:

The second charge brought against the accused has been given as an alternative to the first one and thus the Court will be abstaining from taking cognisance of same.

Since the accused has admitted the charges, the first charge has been sufficiently proven.

It is to be noted that during today's sitting the accused has returned the amount of €500 (which was the amount she had withdrawn) so that same amount be given to the victim. She also apologized for her actions.

With regards to the punishment to be meted, the Court is taking into consideration the nature of the offence, the early guilty plea, a clean criminal record and the fact that the victim has been given back what was stolen from her. In the circumstances the Court deems that a suspended sentence is adequate.

For the above-mentioned reasons, after having seen articles 18, 261(c), 267 and 279(a) of Chapter 9 of the laws of Malta, upon admission finds the accused guilty of the first charge brought against her and condemns her to a period of nine (9) months imprisonment which are being

suspended for a period of two (2) years. The Court abstains from taking cognisance of the second charge brought against the accused.

The Court has explained to the accused the consequences if she commits another offence within the operative period of this judgment.

Dr Josette Demicoli
Magistrate