



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

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

**The Police
(Inspector Silvio Magro)**

vs

Shaginiani Rafieli

Today, 04th July 2019

The Court;

Having seen the accusations brought against:

“Shaginiani Rafieli, holder of Georgian Passport 17AB06896

And charge him with:-

On the date 03/07/2019 at MIA at about 14:00 -14:30, at the Malta International Airport: -

(a) commits any other violation of another person’s property,

(b) Entered (tried to tail gate a passenger at the pre security gates), with or without a vehicle, into any part of a restricted area without the permission of the Head Aviation Security, and the authority responsible for the air navigation installation or a person acting on behalf of that Head or authority, and in accordance with any conditions subject to which that permission is for the time being granted. (*Chapter 405 Art 11/12*)."

Having seen all documents exhibited by the Prosecution;

Having seen the records of the case;

Having heard the submissions made by the Prosecution and by the Defence;

Having duly considered all the records of the case and all submissions made;

Having explained to the accused the charges brought against him;

Having heard the accused plead guilty to said charges in today's sitting and this in the presence of Defence Counsel Dr. Charmaine Cherrett;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider his guilty plea and having heard the accused reconfirm his guilty plea during his arraignment before this Court and thus said guilty plea was registered in the acts of today's sitting, the 4th July 2019;

Considers:

That thus upon such guilty plea the Court can only find the accused guilty as charged;

That in pronouncing its judgement the Court is hereby taking into consideration the fact that the accused registered an early guilty plea, that the accused collaborated with the Police, the nature and gravity of the accusations with which he is charged;

Thus, the Court, after having seen Article 11(1a), 12 and 17 of Chap 405, and Article 41 of Chapter 9 of the Laws of Malta hereby finds the accused guilty as charged and condemns the accused to a term of imprisonment of two (2) years which by the application of Article 28A of Chapter 9 of the Laws of Malta are being suspended for four (4) years.

The Court explained to the accused in simple and clear language his obligations arising out of this judgement and the consequences should he not abide by the said judgement.

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

(ft) Angelo Buttigieg

Deputy Registrar