



MALTA

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

MAGISTRATE DR IAN FARRUGIA LL.D

Today the 3rd of March, 2020

**THE POLICE
(Inspector Robert Vella)**

Vs

ISAK ALI ADAN

Comp. No. 389/2019

THE COURT;

Having seen the charges brought against **Isak Ali Adan** holder of identity card number **100684(A)**.

And charge him with having, on 28th of June, 2019, at around 03:30am in the locality of Marsa: -

1. Together with other unknown persons, committed theft of money and various documents to the detriment of Darko Jordanovski, which theft is qualified by violence

(numeric), with the value of stolen items which exceeds the sum of two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37), and time.

The Court is being kindly requested that in case of finding the accused guilty it should deem same as a relapser in terms of Articles 49, 50 and 289 of Chapter 9 of the Laws of Malta after that same person charged have been found guilty by a sentence handed to him by the Courts of Malta, which sentence has become definitive.

The court is also being kindly requested to provide for the security of the victim in terms of Articles 382A, 383, 384 and 385 of Chapter 9 of the Laws of Malta.

The Court is being kindly requested that when pronouncing judgement or in any subsequent order, sentence the person convicted, to the payment, wholly or in part, to the registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, including such experts as would have been appointed in the examination of the process verbal of the inquiry, within such period and in such amount as shall be determined in the judgement or order.

Having heard prosecuting officer on oath;

Having seen testimonies of witnesses produced in this case;

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charges brought against him during today's sitting and his insistence on such guilty plea after being given time according to law to reconsider;

Having considered the accused's declaration as minuted in today's sitting, following his guilty plea, that he had enough time to think and reconsider such guilty plea, that he clearly understood the nature of the charges brought against him, and that he understood clearly that his guilty plea, as pointed out by this Court, was to lead to serious consequences in terms of punishment;

Having heard submissions by the prosecution and the defence in terms of punishment;

Considers;

That in view of the accused's guilty plea to all charges proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, and since his guilty plea is a reflection of the evidence already brought against him, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In terms of punishment, this Court is taking into particular consideration the fact, on the one hand, that the accused pleaded guilty in these proceedings and on the other, the serious nature of the charges proffered against him.

Decide.

THEREFORE, THE COURT, having seen Articles 31, 49, 50, 261 (a) (c) (f), 267, 270, 276, 279 (b), 280 (2), 281, 289 and 533 of Chapter 9 of the Laws of Malta, finds the accused, upon his own guilty plea, guilty as charged and condemns him to imprisonment for a term of three (3) years.

Dr Ian Farrugia LL.D
Magistrate

Marica Mifsud
Deputy Registrar