



**MALTA**

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

**MAGISTRATE DR IAN FARRUGIA LL. D**

**Today 10<sup>th</sup> of March, 2020**

**The Police  
(Inspector Joseph Xerri)**

**Vs**

**Shova Thapa**

**The Court;**

Having seen the charge brought against **Shova Thapa**, holder of the Nepalese passport Number **05807379**

And accuse her of having sometime between the twenty sixth (26) July, 2019 and the fifteenth (15) August, 2019, while employed at number 86, Barbaġann street, San Ġwann:

1. Committed theft, from the said residence, of a ring valued at four hundred euros (€400.00) at the detriment of Rebecca Bonello, which theft is aggravated by 'value', 'person' and 'location'; *Articles 261 (c) (d) (e), 267, 268 (a), 269 (g), 279 (a), 280 (1), and 281 (a) (b) of Chapter 9 of the Laws of Malta;*

The Court is requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed Experts.

Having heard prosecuting officer on oath;

Having seen the consent given by the Attorney General so that this case be dealt with summarily;

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

Having examined all testimonies of witnesses brought forward in this case;

Having heard final submissions by the prosecution and the defence in today's sitting;

**Considers;**

**That from an examination of all the evidence brought forward in this case, including the testimony of the accused, the court is convinced in terms of law that the prosecution proved its case beyond reasonable doubt.**

**It resulted that between the 26<sup>th</sup> of July and 15<sup>th</sup> of August 2019, the accused was employed at the residence of the alleged victim Rebecca Bonello, 86, Barbaggan Street, San Gwann.**

**The alleged victim and her partner Neil Crossey realised that a ring belonging to Rebecca Bonello went missing from the said residence. Following the relative investigations by the police, the said ring was found in the possession of the accused at her residence in St. Paul's Bay. The accused handed over the said ring, which was identified, without any difficulty or hesitation, by Rebecca Bonello as being her property.**

**The prosecution managed to prove in terms of law that the value of the said ring was in the region of four hundred euro (€400).**

**The ring was handed over to its legitimate owner Rebecca Bonello.**

**The Court took note as well of the personal and social circumstances of the accused as highlighted in her testimony.**

**Decide.**

**THEREFORE, THE COURT**, having seen Articles 261(c)(d)(e), 267, 268(a), 269(g), 279(a), 280(1) and 281(a)(b) of Chapter 9 of the Laws of Malta, finds and declares offender **Shova Thapa** guilty as charged and condemns her to a term of imprisonment of **nine (9) months suspended for a term of two (2) years** in terms of Article 28A of Chapter 9 of the Laws of Malta.

The Court explained to the accused her responsibilities under Articles 28A and 28B of Chapter 9 of the Laws of Malta.

Dr Ian Farrugia LL.D  
Magistrate

Marica Mifsud  
Deputy Registrar