



**Court of Magistrates (Malta)
As A Court of Criminal Judicature**

Magistrate Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)

Mosta Sitting

Today, the 25th of November, 2020

Criminal Proceedings No. 616/2020

**The Police
(Inspector Ryan Mario Vella)**

-vs-

Stefan Kostiuk, holder of Ukranian passport number ET636696

The Court,

Having seen the charges brought against the person charged **Stefan Kostiuk** who is being charged with having:

On the 10th November, 2020, at about 08:15 hrs from 178, Triq San Xmun, Saint Paul's Bay:

Committed a theft of a satchel containing two mobiles of make Samsung J5 along with cash from a construction site, which theft is aggravated by value which does not exceed the sum of two thousand three hundred and twenty-nine euro and thirty-seven cents (2,329.37) to the detriment of Lamin Njie and/or other persons.

Having Considered,

Whereas having heard the person charged plead guilty to the charge brought against him notwithstanding the fact that the Court warned him in the most solemn manner of the legal consequences of his guilty plea, and after having given him sufficient time within which to reconsider and withdraw his guilty plea;

Having heard witnesses;

Having seen all the acts and documents exhibited;

Having heard the prosecution and defence counsel make their submissions;

Considers:

Having heard the guilty plea of the person charged to the charge brought against him, the Court has no alternative but to declare the person charged guilty of the said charge.

With regards to punishment the Court took into consideration the accused's early admission of guilt, his clean criminal record, the nature of the offences of which he stands charged and the circumstances of the case.

In view of the above, the Court, after having seen Article 261(c), 267 and 279(a) of the Criminal Code, Chapter 9 of the Laws of Malta, finds the accused guilty of the charge brought against him and condemns him to **imprisonment for five (5) months** which by virtue of Article 28A of the Criminal Code are being suspended for two (2) years.

The Court is ordering the Principal Immigration Officer to take the measures that may be warranted in terms of the Immigration Act, Chapter 217 of the Laws of Malta.

Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)
Magistrate