



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

Magistrate: Dr. Simone Grech Simone Grech B.A. LL.D. Mag.
Jur. (Eur. Law)

Today 24th January 2023

The Police
(Inspector Bernard Charles Spiteri)

vs

Dumitru Emilian Vlasceanu

Case Number 23/2022

The Court

Having seen the charges brought against Dumitru Emilian Vlasceanu,
whereby he was charged with :

*“... having on the 31st March 2022 at about 10.30a.m., whilst he was at Madonna
tac-Cicri Street, Zebbug, Gozo and/or in the vicinities;*

1. *Committed theft of local currency, which amount does exceed two hundred and thirty-two and ninety four cents (232.94) but does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37) to the detriment of Paschalino Cefai, which theft is aggravated by amount and this in breach of articles 261 and 267 of Chapter 9;*
2. *And also with having on the same date, time, place and circumstances, wilfully disturbed the public good order or the public peace, and this in breach of article 338(dd) of Chapter 9 of the Laws of Malta;*

The Court was humbly requested to provide for the safety of Paschalino Cefai by issuing a Protection Order in accordance with the provisions of Article 412C of Chapter 9 of the Laws of Malta under such restrictions or prohibitions as the Court may consider necessary;

The Court was also being humbly requested to provide for the safety of Paschalino Cefai and his family in accordance with Article 383 of Chapter 9 of the Laws of Malta;

The Court was also being humbly requested that, in passing judgment against the accused, together with any punishment to which it may sentence the offender, make a Restraining Order in terms of Article 382A of Chapter 9 of the Laws of Malta for the protection of Paschalino Cefai. “

Having seen all documents exhibited,

Having heard the evidence;

Having read out the note of the Attorney General dated 24th November 2022 and having seen that the accused had no objection that this case be heard and tried summarily;

Considers

Although the prosecution brought forth several witnesses, the only witness who was present when the violation of the law allegedly occurred did not testify. As a result, the Prosecution did not bring the best evidence they could with regards to this case. The Court is not convinced that the Prosecution proved the charges brought against the accused beyond any reasonable doubt.

Consequently, the Court shall proceed to acquit the accused from all charges.

Decide

For the above mentioned reasons, the Court is not finding the accused guilty of the charges brought against him and is thereby acquitting him.

**(sgd) Dr. Simone Grech
Magistrate**

**(sgd) Diane Farrugia
Deputy Registrar**

True Copy

For The Registrar