



Court of Magistrates (Gozo)  
as a Court of Criminal Judicature  
Magistrate Dr Simone Grech

Today 22<sup>nd</sup> May 2023

The Police  
(Inspector Josef Gauci)  
Vs  
Rocco Falzon

The Court,

Having seen the charges brought against Rocco Falzon, 47 years old, of British nationality, and holder of British passport number: 532353650, who was charged with having:

*“in these Islands, on the 20th May 2023, between 13:00hrs and 13:10hrs, whilst at Greens Supermarket, The Duke Shopping Complex, in Republic Street, Victoria, Gozo:*

*1. Committed aggravated theft of mobile phone, cash, credit/debit cards, handbag and documents, to the detriment of Georgia Mary Anne Bezzina, which theft is aggravated by value, which value does not exceed two thousand three hundred and twenty-nine euros and thirty-seven cents, and this in violation of articles 261(c), 267 and 279(a) of Chapter 9 of the Laws of Malta.*

*2. And also in the same date, time, place and circumstances, knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad, or knowingly took part, in any manner whatsoever, in the sale or disposal of the same, and this in violation of article 334 of Chapter 9 of the Laws of Malta.”*

Having seen the documents exhibited;

Having heard accused plead guilty to the charges brought against him which guilty plea was reaffirmed after the accused was given adequate time to reconsider same and after that the Court explained to the accused the punishments which each charge carries.

Having heard the Prosecution declare that the second charge is alternative to the first and that the stolen items were returned back to the alleged victim.

Having heard that the amounts allegedly stolen do not exceed EUR 2,329.37c.

Having heard submissions regarding the punishment to be inflicted.

### **Considers;**

That in view of the guilty plea filed by the accused the Court finds him guilty of the first charge.

That in considering the punishment to be inflicted the Court is taking into consideration the early guilty plea filed by the accused, his clean conviction sheet and the fact that the items taken were retrieved.

### **Decide**

Consequently, the Court abstains from taking further cognizance of the second charge whereas after having seen articles 261( c), 267 and 279(a) of Chapter 9 of the Laws of Malta finds the accused guilty of the first charge and in view of the above mentioned considerations and after having seen section 22 of Chapter 446 of the Laws of Malta discharges the accused on condition that he does not commit another crime within a period of three (3) years from today.

The Court warned the accused of the consequences according to law should he commit another crime during this period of conditional discharge.

Magistrate Simone Grech

Silvio Xerri  
Deputy Registrar