



THE COURT OF MAGISTRATES (MALTA)

As a Court of Criminal Judicature

MAGISTRATE

DR. CAROLINE FARRUGIA FRENDO

B.A. (Legal and Humanistic Studies), LL.D.,

M.Juris (International Law), Dip. Trib. Eccl. Melit.

The Police

(Inspector Keith Caruana Darmanin)

vs

Petrovic Sladjana

Compilation number 748/2023

Today the 25th of January 2024

Has seen the charges against:

Petrovic Sladjana, aged 60 years, daughter of n/a, born on the 29th of August 1966, residing at 80, Maison, De Charmaine triq ir-Riebu, Rabat, and owner of identity document 0233910L.

You are accused of committing various acts on this island between May 2020 and August 2023, even if at different time periods, all of which violated the same provision of the law and were consolidated into one resolution.

1. You have falsified any schedule, ticket, order or other document whatsoever, upon the presentation of which any payment may be obtained, or any delivery of goods effected, or a deposit or pledge withdrawn from any public office or from any bank or other public institution established by the Government, or recognized by any public act of the Government

2. And more for making use of any of the instruments specified in articles 166, 167 and 168
3. And more for any authentic and public instrument or of any commercial document or private bank document, by counterfeiting or altering the writing or signature, by feigning any fictitious agreement, disposition, obligation or discharge, or by the insertion of any such agreement, disposition, obligation or discharge in any of the said instruments or documents after the formation thereof, or by any addition to or alteration of any clause, declaration or fact which such instruments or documents were intended to contain or prove;
4. And more making use of any of false acts, writings, instruments or documents mentioned in the preceding articles , mentioned in article 183 of Chp 9 of the Laws of Malta;
5. And more for making or giving a false declaration or false certificate.
6. And more to gain any advantage or benefit for yourself or others, shall, in any document intended for any public authority, knowingly make a false declaration or statement, or give false information.
7. And more by means of any unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event, shall make any gain to the prejudice of another person;
8. Furthermore, with the damage to the Department of Social Security, the Government of Malta, and/or any other entity or entities, you made another payment of more than five thousand euro.

The Court is kindly requested that in the case of a conviction, the accused be ordered to pay the expenses that will be incurred with the appointment of experts or architects in the proceedings as contemplated in Article 533 of Chapter 9 of the Laws of Malta.

Has seen that during the sitting dated 9th November 2023, the accused registered a guilty plea with respect to the charges brought against her;

The Court observed the disposition laid in Article 392A(1) of Chapter 9 of the Laws of Malta and the Court warned her in the most solemn manner about the legal consequences of her guilty plea and allowed her a period of time for her to reply even after having consulted her legal counsel;

Has heard the witnesses.

Has heard the submissions made by the prosecution and defence regarding the judgement to be delivered.

Has seen all the acts and documents.

Considers:

The accused admitted all the charges brought against her and upon her voluntary and unconditional guilty plea, the Court declares that it has no other option but to find the accused guilty of all charges brought against her.

Considers:

Regarding the punishment to be delivered the Court took into consideration the early guilty plea that the accused registered and the fact that she fully cooperated with the investigative authorities, her convictions sheet and all circumstances related to the case and the fact that the accused started paying back the Department of Social Security.

Has considered that the charges numbers one (1), three (3) and seven (7) are alternate charges to charges two (2), four (4) and six (6) respectively.

Has considered that the amount of the *res furtiva* was seventeen thousand two hundred and eighty euros and sixty one cents (€17,280.61).

Decide

Therefore for these reasons, the Court finds the accused guilty of all charges brought against the accused Petrovic Sladjana with the exception of charges 1, 3 and 7 since they were given alternatively to charges 2, 4 and 6, and after the Court has seen articles 17(b)(h), 18, 167, 169, 183, 184, 188(1)(2), 308, 309, 310(1)(a) and 310BA of Chapter 9 of the Laws of Malta condemns the accused to a period of twenty four (24) months imprisonment which by

JUDGEMENT**Compilation number 748/2023****The Police (Inspector Keith Caruana Darmanin) vs Petrovic Sladjana**

application of Article 28A of Chapter 9 of the Laws of Malta are being suspended for a period of forty (40) months from today.

In terms of article 28A(4) of Chapter 9 of the Laws of Malta the Court explained to the accused his responsibility stemming from Article 28B of Chapter 9 of the laws of Malta.

In terms of Article 15A(1) of Chapter 9 of the Laws of Malta the Court orders that the accused is to pay the Department of Social Security according to what is listed in the repayment programme presented in the acts.

Dr Caroline Farrugia Frendo
Magistrate

Deputy Registrar