



**IN THE COURT OF MAGISTRATES
AS A COURT OF CRIMINAL JUDICATURE**

MAGISTRATE DR. ANN MARIE THAKE
LL.B., Adv. LL.M., LL.D.

Today, the 7th of May 2024

The Police
(Inspector Keith Xerri)

vs

Dejan Vasiljkovic

Case number 724/2023 AMT

The Court,

Having seen the charges against **Dejan Vasiljkovic**, son of Zoran and Nevena nee` Blanusa, born in Slovenia on the 8th of October 1988, holder of the Serbian passport with the number 015472238 and the Maltese residence permit with the number 0315262A, whereby he was accused of:

On the 23rd of July 2023 at about two in the morning (02:00) in Triq San Gorg, Paceville, St. Julian's, specifically in the club 'TOYROOM':

1. Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the period of Jean Andre Moreno as certified by Dr. Elesiina Ng'uni (med. reg. 6531) of Mater Dei Hospital;
2. Operated as a private guard agency or acted as a private guard or offered his services as such, without a license in accordance with the provisions of Chapter 389 of the Laws of Malta;
3. Willfully disturbed the public peace and order.

The Court was requested, in the event of a finding of guilt, to:

- i. Provide for the security of Jean Andre Moreno in terms of articles 382A, 383, 384, 385 and 412C of Chapter 9 of the Laws of Malta;
- ii. Condemn the accused to pay costs related to the appointment of experts or architects in the proceedings as contemplated in article 533 of Chapter 9 of the Laws of Malta;

- iii. If it deems it appropriate, to order the offender to restore to the offended party anything stolen from him or acquired by fraud or other unlawful gains to the detriment of that party by/or through the crime, or to pay that party an amount of money as may be established by the Court as compensation for that loss as mentioned or for any damages or offense or other damage according to Art. 15A of Chapter 9 of the Law of Malta.

Having heard witnesses under oath;

Having seen all documents and acts;

Having heard, during the sitting held on the 2nd of May 2024, the accused admit to the charges brought against him even after the consequences of the guilty plea were explained to him and after the accused was given reasonable to reconsider.

Having heard the parties' submissions of punishment;

Considers

The Court took note of the declaration made by the Prosecution Official and the defence, to the effect that they were both agreeing that the punishment in this case should consist of a conditional discharge, in addition to the issuance of a protection order in favour of Jean Andre Moreno.

The Court also took note of the accused's declaration of remorse and his clean criminal record.

Decide

For these reasons the Court, after having seen articles 214, 216(b), and 338(dd) of Chapter 9 of the Laws of Malta and article 25(b) of Chapter 389 of the Laws of Malta, finds the accused guilty of all charges proffered against him, but upon the application of article 22 of Chapter 446 of the Laws of Malta, conditionally discharges the accused for three (3) years.

The Court explained to the accused in ordinary language that if he commits another offence during the period of conditional discharge, he will be liable to be sentenced for the original offence.

In terms of Article 382A of Chapter 9 of the Laws of Malta, the Court is issuing a Restraining Order against the accused for a period of three (3) years from today for the protection of Jean Andre Moreno. The Court explained to the accused in plain language, his liabilities according to the conditions imposed by the Restraining Order, which decree is being attached to this judgement, forming an integral part of the same judgement.

The Court orders that, in accordance with article 392A(2) of Chapter 9 of the Laws of Malta, the Attorney General is given access to a scanned copy of the acts of the proceedings and to a scanned copy of the judgment within six (6) working days.

Ann Marie Thake
Magistrate

Ylenia Spiteri
Deputy Registrar