



In the Court of Magistrates (Malta)
As a Court of Criminal Judicature
Magistrate Dr. Yana Micallef Stafrace LL.D.

The Police

(Inspector Charlotte Curmi)

Vs

Vladislav Grachev

28th October 2024

The Court

Having seen the charges against Vladislav Grachev son of N/A born on the 20/12/2001, resident 722, Ta' Monica, Res 7, Triq il-Bajja, Marsaskala ID NO: 193974A.

As you have been charged with having on the 1st September 2021 at about 03.50 hrs in Triq Mikiel Anton Vassalli, Msida drove the vehicle with registration no. CSH 112.

1. Or attempted to drive or was in charge of the mentioned vehicle on the road or other public place when you were unfit to drive through drink or drugs;
2. Also, you drove, attempted to drive or was in charge of the mentioned vehicle on the road or other public place after consuming so much alcohol that the proportion of it in your

breath, blood or urine exceeded the prescribed limit (106.3µg/100ml),

3. And drove the mentioned vehicle in a dangerous manner,
4. And also drove the mentioned vehicle in a negligent manner,
5. Moreover through imprudence, negligence and unskillfulness in your art or profession, and non observance of the motor vehicle regulations, collided and caused involuntary damages to the detriment of Car Sharing Services LTD.

The Prosecution requests that the mentioned person be disqualified from all his driving licenses.

The Court is humbly requested that in case of guilt, also deducts points from the driving license, as indicated in S.L. 65.18 Art 36B and in S.L. 65.18 Sixth Schedule.

Having seen Articles 328(b) 328(d) of Chap 9 and Articles 15(1)(a)(2) 15A 15B of Chap 65 S.L. 65.18 Art 36B and in S.L. 65.18 Sixth Schedule. of the laws of Malta

Having seen all the witnesses produced by the prosecution

Having seen that the accused chose not to testify

Having seen all the documents, testimony and evidence in the proceedings

Having seen the Oral submissions

Considerations of this court

PS 2189 A Mawdsley Testified by means of an affidavit

Considerations of this court

There is no evidence to the degree required in a criminal court that the accused was involved in this accident . There is no evidence as to what kind of caution he was given by the police before any declaration he may have made to the police.

Therefore the level of evidence is not beyond reasonable doubt

and therefore the accused cannot be found guilty of any of the charges

Decide

For these reasons and after having seen Articles 328(b) 328(d) of Chap 9 and Articles 15(1)(a)(2) 15A 15B of Chap 65 S.L. 65.18 Art 36B and in S.L. 65.18 Sixth Schedule. of the laws of Malta

finds the accused Vladislav Grachev is not guilty of the charges.

**DR. YANA MICALLEF STAFRACE LL.D.
MAGISTRATE**

**Doris Serpina Sciberras
Deputy Registrar**