



**COURT OF MAGISTRATES (GOZO)
AS COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE DR SIMONE GRECH
B.A., LL.D., MAG. JUR. (EUR LAW)**

Case number 26/2023 (SG)

The Police
(Police Superintendent Bernard-Charles Spiteri)

versus

Viktor Markovic

Today, the 6th June 2025

The Court;

Having seen the charges brought against Viktor Markovic holder of Serbian Passport Number 10343667 aged 39 years son of Milan and Svetlana nee' Jerotiyevic born in Belgrade, Serbia on the 18th August 1983 whereby he was charged with having on the 9th August 2023 at some time between 11.45a.m. and 12.00p.m. whilst being inside residence 24, Madonna tac-Cicri street, Żebbuġ Gozo and/or in the vicinities:-

1. *At the time of committing a crime against the person of Paschalino Cefai had on his person any arm proper or ammunition or an imitation of any arms proper or ammunition and this in breach of article 55 of Chapter 480;*
2. ***And also with having on the same date, time, place and circumstances** with the intent to commit a crime, that of a theft from a private residence number 24, triq il-Madonna tac-Cicri, Żebbuġ Gozo, after having manifested such intent by overt acts which were not completed in consequence of some accidental cause independent of your will and if it had been committed, it would have been aggravated by value which does two hundred and thirty two euros and ninety-four cents (€232.94) and not exceeds two thousand and three hundred and twenty-nine euro and thirty seven cents*

(€2,329.37c), means and place to the detriment of Paschalino Cefai and/or other persons and this in breach of articles 41, 261, 263, 267 and 269 of Chapter 9;

3. ***And also with having on the same date, time, place and circumstances*** committed any violation of another person property, to the prejudice of Paschalino Cefai and this in breach of Article 340 of Chapter 9 of the Laws of Malta;
4. ***And also with having on the same date, time, place and circumstances*** uttered insults or threats to the person of Paschalino Cefai, not otherwise provided for in the Criminal Code and this in breach of article 339(1)(e) of Chapter 9;
5. ***And also with having on the same date, time, place and circumstances*** failed to observe the conditions imposed by the Court of Magistrates (Malta) presided by Magistrate Dr. Rachel Montebello LL.D. on the 9th February 2023 that of not committing another crime of voluntary nature and this is in breach of article 579 of the Chapter 9 of the Laws of Malta.

The Court is being asked to revoke the bail conditions of Viktor Markovic and order his re-arrest, whilst the sum stated in the bail bond shall be forfeited to the Government of Malta as stipulated in article 579(2)(3) of the Chapter 9 of the Laws of Malta.

Having seen all documents exhibited;

Having heard the evidence;

Having read out the note of the Attorney General dated 2nd May 2025 and **having seen** that the accused had no objection that this case be heard and tried summarily;

Having seen that the case was adjourned for judgement;

Having seen all the acts of the case;

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. The Court has only the statement which were released by the accused. However, all the other witnesses only reported what was told to them as none were eyewitnesses of this alleged incident. 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) John Vella
D/Registrar**

True Copy

For the Registrar