



COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR. KEVAN AZZOPARDI B.A., LL.D

Today, the 10th June 2025

Case Nr: 898/2023

The Republic of Malta

--VS--

Aleksandar Filipovic

The Court:

Having seen that the accused, Aleksandar Filipovic, thirty nine (39) years old, son of Vlastimir and Bramislava nee Popic born in Serbia on the fifteen (15th) of March the year one thousand nine hundred and eighty four (1984), residing at Ibiza, Flat 5, Triq ta' Nawciera, Saint Paul's Bay and holder of a Maltese residence permit with the number 243421A was presented under arrest on the 4th November 2023 and:

"In the name of the Republic of Malta, hereby charge the accused with having committed several acts even if at different times, which constitute violations of the same provision of the law, and which are committed in pursuance of the same design, in breach of Article 18, Chapter 9 of the laws of Malta;

During the 13th of October of the year two thousand and twenty-three (2023) between eight o'clock (8:00) in the morning and eleven (11:00) in the morning in Triq Efesu Saint Paul's Bay and/or around the Maltese Islands,

- 1. Rendered himself as an accomplice in the crime of theft of money and/or objects from a vehicle with registration number DQZ163, which theft is aggravated by the nature of the thing stolen and amount, which amount of the things stolen does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37)*

by, in any way knowingly aiding or abetting the perpetrator or perpetrators of the crime in the acts by means of which the crime is prepared or completed and/or inciteing or strengthening the determination of another to commit the crime, or promising to give assistance, aid or reward after the fact, and this to the detriment of Joesph De Villa and/or other person/s and/or any other entity and/or other entities;

And also during the 13th of October of the year two thousand and twenty-three(2023), between eleven o'clock (11:00) in the morning and two o'clock in the afternoon (14:00) in Triq il-Merluzz Saint Paul's Bay and/or around the Maltese Islands

- 2. Rendered himself as an accomplice in the crime of theft of money and/or objects from a vehicle with registration number NOE101, which theft is aggravated by the nature of the thing stolen and amount, which amount of the things stolen does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37) by, in any way knowingly aiding or abetting the perpetrator or perpetrators of the crime in the acts by means of which the crime is prepared or completed and/or inciteing or strengthening the determination of another to commit the crime, or promising to give assistance, aid or reward after the fact, and this to the detriment of Sander Xuereb and/or other person/s and/or any other entity and/or other entities;*

And also during the 18th of October of the year two thousand and twenty-three (2023) between eight o'clock (8:00) in the morning and eleven (11:00) in the morning in Triq Efesu Saint Paul's Bay and/or around the Maltese Islands,

- 3. Rendered himself as an accomplice in the crime of theft of money and/or objects from a vehicle with registration number GGV618, which theft is aggravated by the nature of the thing stolen and amount, which amount of the things stolen does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37) by, in any way knowingly aiding or abetting the perpetrator or perpetrators of the crime in the acts by means of which the crime is prepared or completed and/or inciteing or strengthening the determination of another to commit the crime, or promising to give assistance, aid or reward after the fact, and this to the detriment of Shyam Bahadur Gurung and Rup Lal Rumba and/or other person/s and/or any other entity and/or other entities;*

And also between the 18th of October and the 2nd of November of the year two thousand and twenty-three (2023) in Ibiza, Flat 5, Triq ta' Nawciera, Saint Paul's Bay and/or around the Maltese Islands,

- 4. knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence;”*

This Court was requested to provide security for Joesph De Villa, Sander Xuereb, Shyam Bahadur Gurung u Rup Lal Rumba as the Court sees fit and necessary and under all the conditions that deems appropriate, issues an order of protection in terms of Article 412C, of Chapter 9 of the Laws of Malta.

The Court was requested that, in the event that Amrit Bhatta is found guilty for all or any of the aforementioned offences, the provisions of Article 15A et seq. of the Criminal Code (Chapter 9 of the Laws of Malta) be applied against the accused, and this in addition to any penalty or penalties established by Law;

The Court was requested that in addition to any punishment to which Amrit Bhatta may be sentenced, to operate against the accused the dispositions of Articles 532B and/or 533 of the Criminal Code (Chapter 9 of the Laws of Malta);

Having seen that on the 4th November 2023 after the prosecuting officer read and confirmed the charges on oath, the accused pleaded not guilty, however during today's sitting the accused registered a guilty plea.

Having seen the acts of the case.

Having heard the defence counsel and the prosecuting officer's final oral submissions in relation to the punishment to be inflicted upon the accused.

Considerations:

The Court, took cognisance of the fact that both the prosecution and the defence shared the opinion that the accused should not be punished with an effective jail term. The Court considered the circumstances of the case and of the accused, his clean police conduct, and particularly his age.

In view of the accused's voluntary admission, the Court has no other option but to find the accused guilty of the charges brought against him.

Conclusion:

For these reasons, the Court, having seen articles Articles 17, 18, 42 (d)(e), 261(c)(g), 267, 271(g), 279(a), 280(a) and 334 Chapter 9 Laws of Malta, upon the admission of the accused Aleksandar Filipovic, holder of a Maltese residence permit with number 243421A, finds the said accused guilty of all the charges brought against him, and condemns him to the punishment of two (2) years imprisonment, and after having seen Article 28A of the Criminal Code, Chapter 9 of the Laws of Malta, orders that the accused be dealt with through a suspended sentence, provided that the punishment inflicted shall not begin to take place except if, during the four (4) years period that begins to run from the date of this order, the offender commits another crime punishable by imprisonment, and after that a competent court orders in terms of article 28B of the Criminal Code, Chapter 9 of the Laws of Malta that the original judgement should begin to take effect.

The Court, in terms of subarticle (4) of article 28A of the Criminal Code, Chapter 9 of the Laws of Malta, warned the accused about the legal consequences should he commit another crime within the prescribed operative period of the suspended sentence.

The Court refrains from taking further cognizance of the request based on articles 15A, 412C, 382, 383, 384, 385, 532A, 532B and 533 of Chapter 9 of the Laws of Malta since such requests were withdrawn by the prosecution during today's sitting.

The Court finally orders that the Attorney General is given access to a scanned copy of the acts of the proceedings, together with access to a scanned copy of the judgment, within six (6) working days from the date of the judgment.

Dr Kevan Azzopardi B.A. LL.D
Magistrate

< Final Judgement >

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