



MALTA

**COURT OF MAGISTRATES
(GHAWDEX) AS A COURT OF CRIMINAL
JUDICATURE**

**MAGISTRATE DR.
JOSEPH A. APAP BOLOGNA**

Sitting of the 22nd November, 2004

Number 5555/2004

The Police
(Inspector Raymond Aquilina)
(Inspector Therese Sciberras)

VS

Melissa Etheridge

Today the 22nd November 2004.

The Court

Having seen the charge brought by the police against Melissa Etheridge for having on the night of the 25th August 2004 and the 26th August 2004 at Paceville, limits of St Julians committed an offence against decency or morals, by any act committed in a public place or in a place exposed to the public.

Having seen all the acts of the case.

Having heard the accused, in the presence of her defence lawyer, and of her own free will, plead guilty as charged (Vide the record of the proceedings in regard to the sitting of the 12th of November 2004).

Having heard the prosecution request that the Court applies Article 533 of the Criminal Code.

Having heard both parties in regard to the punishment to be awarded to the accused.

In view of the above plea, as well as on the bases of the evidence produced by the prosecution up to this stage of the proceedings, the Court finds the accused guilty of having on the night of the 25th August 2004 and the 26th August 2004 at Paceville, limits of St Julians committed an offence against decency or morals, by any act committed in a public place or in a place exposed to the public and this in accordance with Article 209 of Chapter 9 of the Laws of Malta.

In regard to the punishment to be awarded, the Court fully agrees that it should apply article 22 of Chapter 446 of the Laws of Malta and therefore orders that the accused be set free on condition she does not commit another offence within six months from today. In regard to the application of Article 533 of the same Code, the Court has noted that this case was initiated by a report made by the same accused to the police. Therefore the above mentioned article is to be applied in this case, even in regard to experts appointed by the Inquiry Magistrate and duly confirmed by this Court.

Therefore the Court orders that the accused pays to the Registrar of Court all expences incurred in the appointment and confirmation of experts during the inquiry stage in these proceedings.

In this regard, the Court orders that a copy of this judgement be brought to the notice of the Court hearing the case against Sebastion and Zachery Debono.

Finally the Court authorises the accused to withdraw both passports pertaining to her and exhibited in the acts.

Informal Copy of Judgement

Alan Calleja
Deputy registrar.

True copy
For the Registrar.

< Final Judgement >

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