



MALTA

**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.
CONSUELO-PILAR SCERRI HERRERA**

Seduta tat-18 ta' Mejju, 2006

Numru 471/2006

**The Police
Inspector Edel Mary Camilleri
V**

**ANGELA CAPCANARI
SIRBU ANDREI**

The Court

Having seen that the accused **ANGELA CAPCANARI**, of Moldovian nationality, aged 28, daughter of Roybu Nikolai and Zinovia born in Choplin on the 5th October 1977, in possession of passport number A2360979 and **SIRBU ANDREI** aged 28, of Molodvian nationality, son of Dimitry and Valentina born in Trakiye on the 12th November 1978, in possession of passport number A2322901 were arraigned before her accused with having on the 17th Mary 2006 and later dates in Malta, made use or attempted to make use of a passport issued to any other

person and for having on the 17th May 2006 and later dates, as a person who embarked or disembarked from Malta, made use or caused to made a false return, false statement or false representation and/or furnished the Principal Immigration Officer with false information.

Having seen all the documents exhibited in the acts of these proceedings by the prosecution in particular the statements release by both accused.

Having heard both accused plead guilty to the charges brought forward against them when they were duly examined in terms of sections 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta and this after the Court nominated an interpreter and was told by same that the accused understood the nature of the charges brought forward against them.

The Court explained to the accused the consequences of their plea of guilt and after having given both accused sufficient time to reconsider their plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings their plea of guilt, had no alternative but to register such plea.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that both accused are to be found guilty of the charges brought forward against them.

The Court considered the full co-operation of both accused and this from an early stage right from the beginning of the investigation when they released their statement on the 17th May 2006, the early plea of guilt registered in these proceedings during the first sitting when the examination of both accused took place in terms of sections 370(4), 390(1) and 392 of the Criminal Code and the fact that both accused are to be treated as first time offenders, since no conduct sheet of both accused was exhibited.

Kopja Informali ta' Sentenza

Consequently the Court, having seen the relevant sections at law in particular article 4 of Chapter 61 and Article 32(1c) of Chapter 217 of the Laws of Malta, **decides to condemn both accused ANGELA CAPCANARI and SIRBU ANDREI to a period of nine [9] months imprisonment suspended for two [2] years in terms of article 28A of Chapter 9 of the Laws of Malta.**

The Court explained the importance of this judgement to both accused and the consequences if they fail to adhere to it, who declared they fully understood.

Finally the Court orders that a copy of this judgment together with the acts of these proceeding be sent to the Attorney General within three (3) days in terms of Section 401(3) of the Criminal Code.

< Sentenza Finali >

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