



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

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

Sitting of the 12 th September, 2006

Number 969/2006

**The Police  
Inspector Joseph Cordina  
V**

**FREDDY VAN OEVELEN**

**The Court**

Having seen that the accused **FREDDY VAN OEVELEN**, aged 55 years, son of CiryI and Magdalene nee Sandele, born in Belgium on the 24<sup>th</sup> November 1950 and residing at 'The Meadows', Flat 13, Alka Street, St. Paul's Bay, holder of identity card number 67595M was arraigned before her accused with having on the 28<sup>th</sup> August 2006, and the preceding weeks in St. Paul's Bay and in other parts of these Islands, by means of several acts committed at different times, which constitute violation of the same provision of the law and which were committed in pursuance of the same design, by means of any

unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit or to create the expectation or apprehension of any chimerical event, made gain of three hundred eighty eight maltese liri and forty five cents [LM388.45] to the detriment of Maltapost plc, Alfred Caruana, Paul Gauci, Paul Pace and Joseph Camilleri.

Having seen all the documents exhibited in the acts of these proceedings by the prosecution in particular the consent of the Attorney General in terms of section 370(4) of the Criminal Code dated 12<sup>th</sup> September 2006 exhibited as document CSH 2 in the acts of these proceedings so that this case be dealt with summarily if the accused consents to.

Having heard the accused declare that he has no objection for his case to be dealt summarily as registered during the sitting of the 12<sup>th</sup> September 2006.

Having heard the accused plead guilty to the charges brought forward against him during the sitting of the 12<sup>th</sup> September 2006.

The Court explained to the accused the consequences of his plea of guilt and after having given the accused sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his 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 the accused is to be found guilty of the charge brought forward against him.

The Court took note of the conviction sheet of the accused exhibited in these acts as document CSH from where it results that the accused has already appeared in

Informal Copy of Judgement

Court in connection with another case regarding minor injuries to a public officer in 1999, when he was fined.

The Court took also note of the following before awarding punishment:

1. the fact that the accused co-operated with the prosecution from an early stage right from the beginning of the investigation;
2. the early plea of guilt registered in these proceedings during the first sitting;
3. the fact that the amount involved was minimal;
4. his relatively clean conviction sheet.

In these circumstances the Court does not deem it proper to award imprisonment.

**Thus, the Court, after declaring the accused FREDDY VAN OEVELEN guilty of the charge brought forward against him and after having seen the relevant sections at law in particular Sections 18, 308 and 309 of the Criminal Code, decides to condemn the accused to the payment of a fine of one hundred and fifty maltese liri [LM150] which sum has to be paid within a month from today.**

**The Court thus orders that a copy of this judgement is sent to the Director Criminal Court.**

**< Final Judgement >**

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