



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

**MAGISTRATE
DOREEN CLARKE**

Sitting of the 20th May, 2008

Number 451/2008

**The Police
[Inspector Jason Agius]**

Vs

Peter Enda Keady

Today the 20th of May, 2008,

The Court,

Having seen the charges brought against the accused Peter Enda Keady, 62 years old, son of Thomas and Bridget nee` Feeney, born in Northern Ireland on the 27th June, 1945 and residing at The Cottage, Marfa Road, Mellieha, holder of British passport no. 304758269.

Charged with having on the 19th May, 2008 at about 2000hrs, whilst at the Malta International Airport, Gudja

committed theft of a 'Rolex' wrist watch and a 'Motorola' cell-phone to the detriment of Nicholas John Peter Bailey, which theft is aggravated by amount that exceeds two thousand, three hundred twenty nine Euros and thirty seven cents (€2329.37) and time.

On the same date and circumstances, knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad, knowingly took part, in any matter whatsoever, in the sale or disposal of same.

Having seen sections 216(1)(c)(f), 267, 270 and 334 of Chapter 9 of the Laws of Malta.

Having heard the prosecuting officer declare that the second charge was brought against the accused as an alternative to the first charge.

Having heard the accused plead guilty to the first charge, this notwithstanding the fact that the Court warned him of the consequences of his plea and afforded to him sufficient time within which to withdraw his guilty plea.

Having seen the acts of the proceedings.

Having heard the oral submissions made by the parties.

Considered:

That the accused replied guilty to the first charge brought against him; this is consequently sufficiently proved.

That the second charge was brought against the accused as an alternative to the first charge; the Court will consequently not take further cognisance of this charge.

That, in so far as the penalty to be meted out is concerned, the accused co-operated with the competent authorities in their investigation and admitted the charges brought against him in the initial stages of the procedures.

Informal Copy of Judgement

That the stolen items have been recovered and are in the possession of the police and that the accused has a clean criminal record.

For these reasons

The Court, after having seen sections 216(1)(c)(f), 267, and 270 as well as section 337(2) of Chapter 9 of the Laws of Malta, on defendant's admission finds him guilty of the first charge brought against him and condemns him to imprisonment for a period of eighteen months which term by application of article 28A of Chapter 9 of the Laws of Malta is being suspended for a period of two years. The Court abstains from taking further cognisance of the second charge brought against the accused.

The Court explained to the guilty party in ordinary language of the consequences should he commit an other offence during the period of two years.

< Final Judgement >

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