



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

**MAGISTRAT DR.  
GIOVANNI GRIXTI**

Seduta tas-17 ta' Novembru, 2008

Numru 1133/2008

**The Police  
Ins. Keith Arnaud  
vs  
Jatuporn Thongjamrat**

The Court;

Having seen the accusation brought against **Jataporn Thongjamarat** of 26 years, son of Swat and Aveunem, born in Thailand on the 30<sup>th</sup> January, 1982, residing at 61, Patri Marjanu Vella Street, Sliema, holder of Maltese identity card no. 46774(M) and of Swedish Passport no. 53758157;

Accused with several acts committed, even if at different times, which violate the same provision of the law, and were committed in pursuance of the same design;

a) Between the months of August and November, 2008, at different times during the day, committed theft of a BOV Cashlink Visa card to the detriment of Jackie Tong from Pembroke and the BOV, HSBC Premier Master Card to the detriment of Paul Pisani from Pembroke and HSBC plc, HSBC Quickcash card to the detriment of Jack Abdilla Gough and HSBC plc, HSBC Quickcash card to the detriment of Joseph Bonello from Pembroke and HSBC plc, BOV Cashlink Visa card to the detriment of Emel Koyuncu from Swieqi and BOV, BOV Cashlink Visa Card to the detriment of Ronald Galea from Swieqi and the BOV and four other credit cards to the detriment of unknown persons and the BOV and HSBC plc.

b) On the 15<sup>th</sup> November, 2008 and in the previous dates and weeks, in various parts of Malta, 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 a gain of more than two hundred and thirty-two euro and ninety four cents (232.94) but does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37), to the detriment of Paul Pisani from Pembroke and the HSBC Bank Malta plc.

c) On the 15<sup>th</sup> November, 2008, and in the previous dates and weeks, in various parts of Malta, 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 a gain of less than two hundred and thirty-two euro and ninety- four cents (232.94) to the detriment of Jake Abdilla Gough from Pembroke and HSBC Bank Malta plc.

d) On the 15<sup>th</sup> November, 2008 and in the previous dates and weeks, in various parts of Malta, 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 a gain of more than two hundred and thirty-two euro and ninety-four cents (232.94) but does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37), to the detriment of the HSBC Bank Malta plc, BOV and other persons/companies.

e) On the 15<sup>th</sup> November, 2008 and in the previous dates and weeks, in various parts of Malta, committed forgery of any authentic and public instrument or of any commercial document or private bank document, by counterfeiting or altering the writing or signature, by feigning and fictitious agreement, disposition, obligation or discharge in any of the said instruments or documents after the formation thereof, or by any addition to or alteration of any clause, declaration of fact which such instruments or documents were intended to contain or prove.

f) On the 15<sup>th</sup> November, 2008 and in the previous dates and weeks, in various parts of Malta, knowingly made use of any of the false acts, writings, instruments or documents mentioned in article 184 of chapter 9 of the laws of Malta.

Having heard the plea of guilt;

Finds the accused guilty as charged;

Having seen articles 284, 308, 183 and 184 of Chapter 9 of the Laws of Malta and the conduct sheet of the accused;

Condemns the accused to a term of imprisonment of two (2) years which term shall not elapse unless the accused commits any other offence within a term of two (2) years from today and with the condition that he reimburses the victims within a period of six (6) months from today in terms of article 28A and 28H of Chapter 0m of the Laws of Malta.

The Court explained the obligations of the accused arising from this judgement.

The Court orders that these acts be transmitted to the attorney general in terms of law

**< Sentenza Finali >**

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