



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

**MAGISTRATE DR.  
EDWINA GRIMA**

Sitting of the 28 th January, 2009

Number. 1095/2008

**The Police  
(Inspector Kevin J. Farrugia)**

**Vs**

**Goran Kurajic , 34 years, s/o Bogdan and Jasminka  
nee` Orgnjanovic, born tat Spemska Mirovica, Serbia  
on the 25<sup>th</sup> November, 1973, last know address  
Corradino Correctional Facilities.**

The Court;

Having seen the charges brought against the accused Goran Kurajic in that he on the 9<sup>th</sup> November, 2008, at Iklin and in other places on these Islands:

1. Caused grievous bodily hard on the person of Rosanna Debattista

390972(M).

2. Wilfully committed any spoil, damage or injury to or upon any movable or immovable property belonging to Rosanna Debattista I.D. 390972 (M) or any other person, where the amount of the damage did not exceed one thousand and one hundred and sixty four euro and sixty nine cents (€1,164.69) but exceeds one hundred and sixteen euro and forty seven cents (€116.47).

3. In his course of conduct caused another to fear that violence would be used against him or his property or against the person or property of any of his ascendants, descendants, brothers or sisters or any person.

4. In his course of conduct is in question ought to have known that it would cause another person to fear that violence would be used against him or any occasion if a reasonable person in possession of the same information would think the course of conduct would cause the other so to fear on that occasion.

Having heard the evidence brought forward;

Having seen the articles of law sent by the Attorney General in his note dated 2<sup>nd</sup> December, 2008;

Having heard that the accused has no objection to this case being dealt with summarily;

Having heard the accused register a guilty plea to the charges brought against him which guilty plea was reaffirmed after the Court gave him adequate time to reconsider same;

Considers;

That having heard the evidence brought before the Court and having heard the admission of guilt filed by the accused, the Court find the accused guilty of an attempt to cause grievous bodily harm to the injured party since it

results from the acts that the injuries sustained by the injured party were in fact of a slight nature.

In considering punishment to be inflicted on the accused the Court is taking into consideration the guilty plea filed at this early stage of the proceedings, the clean criminal conduct of the accused and above all the fact that the accused has no permit to reside in Malta and is therefore going to be deported by the Malta Authorities.

Consequently the Court after having seen Section 31, 41(a) 214, 216, 221(1), 325(1)(b), 251B (1)(2) finds the accused guilty of the attempt to cause grievous bodily harm to the injured party and causing injuries of a slight nature only and guilty also of the second, third and fourth charges brought against him and condemns him to a period of one (1) year imprisonment which term of imprisonment is being suspended for a period of four (4) years and this after having taken into account the above considerations and after having seen Section 28A of the Criminal Code.

The Court after having seen Section 28H of the Criminal Code orders the accused to pay Rosanna Debattista the sum of €1164.69 and this within a period of six (6) months.

The Court explained to the accused the consequences according to law if he commits another crime during the operative period of this sentence.

Finally after having seen Section 383 of the Criminal Code, the Court binds the accused under a penalty of €1164.69 to keep the peace with Rosanna Debattista for a period of one year from today.

**< Final Judgement >**

-----END-----