



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 19th September, 2011

Number. 1062/2011

**The Police
(Inspector Anna Marie Micallef)**

vs

**Montanu Dan Vladmir, of 26 years, son of Mihail and
Maria nee` Ionescu, born in Bucharest on the 14th
November 1984, resident at Da Vinci Court Flat
number 2, Triq ta' Bieb it-Torri, Msida holder of
Romanian Passport number 12167**

The Court;

Having seen charges brought against accused who was charged with having on the 18th August 2011 on these islands, whilst at Msida:

1. Committed theft to the detriment of Mastrolanni Pierre and/or other persons, which theft is aggravated by value which exceeds the amount of two hundred and thirty

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two euro and ninety four cents (232.94) but does not exceed two thousand and three hundred and twenty-nine euro thirty seven cents (2,329.37);

2. Also with having on the same date and circumstances 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, or 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 created the expectation or apprehension of any chimerical event to the detriment of Mastrolanni Pierre and/or other persons;

3. Also with having on the same date and circumstances contracted, altered, made, been in possession of spoiled or purchased any device whereby such person may unlawfully connect with any telecommunication system for personal use;

4. Also with having on the same date and circumstances used a computer or any other device or equipment to access any data, software or supporting documentation held in the computer belonging to Mastrolanni Pierre or used, copied or modified any such data, software or supporting documentation;

5. And finally also with having on the same date and circumstances used another person's access code, password, user name, electronic mail address or other means of access to identification information in a computer.

Having seen documents exhibited;

Having seen the Attorney General's consent for this case to be dealt summarily by this Court;

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Having heard accused plead guilty to the charges brought against him which guilty plea was reaffirmed after the accused was given adequate time to reconsider same.

Having heard submissions regarding the punishment to be inflicted;

Considers;

That in view of the guilty plea filed by the accused the Court finds him guilty as charged.

That in considering the punishment to be inflicted the Court is taking into consideration the early guilty plea filed by the accused, the clean conviction record, his cooperation with the police and the fact that the accused paid the injured party all damages suffered by him.

Consequently the Court after having seen Sections 261(c), 267, 298A, 337C(a)(i), 337F, 17(b)(h) of Chapter 9 of the Laws of Malta, finds the accused guilty as charged and condemns him to a period of imprisonment which period of imprisonment after having seen Section 28A of Chapter 9 of the Laws of Malta is being suspended for one (1) year from today.

The Court is warning the guilty person of the consequences according to law should he commit another crime during the period of this sentence.

< Final Judgement >

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