



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 19th September, 2011

Number. 344/2011

**The Police
(Inspector Victor Aquilina)**

vs

**Oleksandr Kochelaievskiy, son of Gennadiy and Olga
Kochelaievskiy, born Russia on the 28.01.197385,
residing at Penthouse, Valley View Flats, Triq
Birkirkara, San Giljan and holder of Ukrainian
passport number EKO12627 issued March 2009 u
expires March 2019**

The Court;

Having seen charges brought against accused who has
been charged with:

On the 18th September 2011 and during past one month,
in these islands;

Informal Copy of Judgement

a) Cultivated the plant *Cannabis* in terms of Section 8(c) of Chapter 101 of the Laws of Malta.

b) had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion the plant *Cannabis* in terms of Section 8(d) of Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use.

Furthermore on the 18th September 2011 and during the past 3 years, in these islands

c) had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion the plant *Cannabis* in terms of Section 8(d) of Chapter 101 of the Laws of Malta.

Having seen documents exhibited;

Having seen the Attorney General's order in terms of sub article(2) of article 22 of the Dangerous Drugs Ordinance (Chapter 101);

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.

Informal Copy of Judgement

That in considering the punishment to be inflicted the Court is taking into consideration the early guilty plea filed by the accused, his clean criminal record and his full cooperation with the police.

Consequently the Court after having seen Sections 8(c)(d), 22(1)(a), 22(2)(b)(i) of Chapter 101 of the Laws of Malta, Regulation 9 LS101.01, finds accused guilty as charged and condemns him to a period of one year imprisonment and to the payment of a fine of five hundred euros (€500) which fine is to be paid within one (1) year from today.

< Final Judgement >

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