



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

**MAGISTRATE DR.
NEVILLE CAMILLERI**

Sitting of the 12 th March, 2012

Number 248/2012

**The Police
(Insp. Saviour Baldacchino
Insp. Melvyn Camilleri)**

vs.

**Dragan Cvijovic
Aleksandar Cvijovic**

The Court,

After having seen the charges brought against **Dragan Cvijovic**, twenty two (22) years old, son of Slobodan and Dara, born in Bosnia and Herzegovina on the 22nd April 1989 and residing at “Belle Ville”, MB2, St. Luke Street, Pieta, holder of identity card number 64871A and **Aleksandar Cvijovic**, thirty two (32) years old, son of Slobodan and Dara born in Bosnia and Herzegovina on the 30th September 1979 and residing at “Belle Ville”,

MB2, St. Luke Street, Pieta, holder of identity card number 54909A, charged with;

on the 28th of February 2012 and/or previous days or months in these islands with having knowingly received or purchased any property which had been stolen, which exceeds the amount of 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), misapplied or obtained by means of any offence, or should knowingly took part, in any manner whatsoever, in the sale or disposal of the same.

After having examined all documents forming part of the proceedings.

After having seen the consent of the Attorney General for these proceedings to be dealt with summarily and after having heard that both the accused did not have any objection that this case be dealt with summarily.

After having heard both the accused plead guilty to the charges brought against them notwithstanding the fact that the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned them in the most solemn manner of the legal consequences of their guilty plea after having given them sufficient time within which to reconsider and withdraw their guilty plea.

Considered

Having heard the admission of both the accused to the charges brought against them, the Court necessarily finds them guilty of the charges brought against them.

With regards to the punishment, the Court heard submissions by the Prosecuting Officer and Defense Counsel. The Court will be taking into consideration that the nature of the charges brought against the accused, the fact that the accused fully co-operated with the Police and that they submitted an early guilty plea.

Therefore, the Court, whilst having seen and considered Sections 334, 261(c) and 267 of Chapter 9 of the Laws of Malta, finds both the accused guilty of the charges brought against them and condemns them to a period of seven (7) months imprisonment however, since the Court is of the opinion that there are sufficient reasons which warrant that the said term of imprisonment be suspended, in terms of Section 28A of Chapter 9 of the Laws of Malta, suspends the said term of seven (7) months imprisonment for a period of eighteen (18) months from date of this judgment.

In terms of Section 28A(4) of Chapter 9 of the Laws of Malta the Court has explained to both the accused, in plain language their liability under Section 28B of Chapter 9 of the Laws of Malta if during the operational period they commit an offence punishable with imprisonment.

< Final Judgement >

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