



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

**MAGISTRAT DR.
NEVILLE CAMILLERI**

Seduta tat-2 ta' Lulju, 2012

Numru 394/2012

**The Police
(Insp. Yvonne Farrugia)**

vs.

Debra Mary Ramadan

The Court,

After having seen the charge brought against Debra Mary Ramadan, of forty seven (47) years, daughter of Joseph Sant and Carmen nee' Psaila, born in the United Kingdom on the 12th January 1965, residing at 120, Paradise Cottage, Triq Sant'Antnin, Fgura, holder of Maltese identity card number 93306L, charged with:

Having in the month of June 2011 and the subsequent months in these Islands, by means of several acts committed at different times, which constitute violation of

the same provision of the Law and which were committed at different times, which constitute violation of the same provision of the Law and which were committed in pursuance of the same design,

1. Misapplied, converted to her own benefit or to the benefit of any other person, anything which has been entrusted or delivered to her under a title which implies an obligation to return such thing or to make use thereof for a specific purpose, that is, the sum of money exceeding two thousand and three hundred and twenty-nine Euro and thirty seven cents (€ 2,329.37) to the detriment of Zugimpex Limited (C 40410) and/or of Johannes Schwarz (P2259999); which funds were entrusted or delivered to her by reason of her profession, trade, business, management, office or service or in consequence of a necessary deposit.

The Court was requested that, in pronouncing judgment or in any subsequent order, sentence the person convicted to the payment, wholly or in part, to the Registrar of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

After having examined all documents forming part of the proceedings.

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

Considers

In the light of the guilty plea submitted by the accused, the Court has no alternative but to find her guilty of the charge brought against her.

With regards to the punishment, the Court heard submissions by the Prosecuting Officer and Defense Counsel. The Court will be taking into consideration the declaration released by the accused, the fact that she submitted an early guilty plea, her clean conviction sheet, the fact that the accused paid the amount of three thousand Euro (€ 3,000) and the declaration by the legal counsel of the injured party who reserved all the civil rights of the injured party for any outstanding amount.

Therefore, the Court, whilst having seen and considered Sections 18, 293, 294 and 310(1)(a) of Chapter 9 of the Laws of Malta, finds the accused guilty of the charge brought against her and condemns her to a period of eighteen (18) 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 eighteen (18) months imprisonment for a period of three (3) years from date of this judgment.

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

As regards the request by the Prosecution regarding the costs incurred in connection with the employment in the proceedings of any expert or referee, the Court, following the Prosecuting Officer's declaration that no experts or referees were nominated, denies such request.

The Court orders that, in terms of Section 392A of Chapter 9 of the Laws of Malta, the records of this case and a copy of this judgement be transmitted to the Attorney General within the time period stipulated by Law.

Kopja Informali ta' Sentenza

< Sentenza Finali >

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