



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

**MAGISTRATE DR.
CAROL PERALTA**

Sitting of the 27 th July, 2012

Number. 354/2012

**The Police
Inspector Edmond Cuschieri**

Vs

**Maxim Timofeev
Vladislav Skliar
Danila Bredikkhin**

The Court:

Having seen the accusations brought against the accused Maxim Timofeev holder of Russian Passport Number 63 9109803, the accused Vladislav Skliar holder of Russian Passport Number 71 1170078 and the accused Danila Bredikkhin holder of Russian Passport Number 20111945120001.

Accused that:

Between the 25th and 26th of July at different times at St. Paul's Bay with the intention to make temporary use only, they have driven a vehicle, be it drawn by mechanical force or any other means, that is to say a motorbike bearing registration number LCS 036, without having the Teo Said or any other legitimate authority.

Accused also because on the same dates, times and circumstances they have driven the above mentioned motorbike bearing registration LCS 036 without having the licence to drive or any other form of assurance.

Accused also because on the same dates, times and circumstances, they have driven the above mentioned motorbike bearing registration number LCS 036, without making use of crash helmets.

Presented under arrest Danila Bredikkin and Maxim Timofeev alone as on the 26th of July 2012 at about 14:15hrs at Qawra Road, St. Paul's Bay, have caused voluntary damage to the above mentioned motorbike bearing registration number LCS 036 and not exceeding the sum of one hundred and sixteen euro (€116) and whose harm has been done to the detriment of Teo Said.

The accused are also facing charges as on the 26th July, 2012, and the preceding days on these islands they had cannabis plants in their possession, or part of it, thus breaching the Law Article 8 (d) of Chapter 101 of the Laws of Malta.

Read the documents;

Heard the evidence;

Considered:

The admission of the accused leaves this Court with no other alternative but to find the accused guilty of all the charges brought against them by the prosecution. Having

taken in consideration all the circumstances of the case and seriousness of the charges this Court believes that a prison sentence should be applicable to the three accused, however the Court having taken into consideration the young age of the accused is of the opinion that such a prison sentence would be counterproductive to the interest of the accused. Having also taken into consideration the fact that the damage caused to the motorbike has been completely refunded by the accused to the third party, the Court condemns accused Danila Bredikkin and Maxim Timofeev to a period of fifteen (15) months conditional discharge for one (1) year, and Vladislav Skliar to a period of twelve (12) months conditional discharge for one (1) year as from today in terms of Article 22 of Chapter 446 of the Laws of Malta.

The Court is applying a below minimum punishment because of the above mentioned factors which also includes the age of the accused and there early cooperation with the police and early admission to the charges.

The Court also orders the destruction of the seized items and furthermore orders that throughout the remainder of their duration in Malta, they will remain constantly under the supervision of their team leader.

The Court explained the consequences of the judgement to the accused.

< Final Judgement >

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