



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 2 nd May, 2013

Number. 387/2013

**The Police
(Inspector Rosanne Debattista)**

vs

AUGUSTIN COTEA

The Court,

Rat l-imputazzjonijiet li permezz taghhom Augustin Cotea ta' 31 sena, iben Deolfi u Marga nee Cote, imwield nhar is-17 ta' Lulju, 1981 gewwa Romania, residenti Matthia Flt 14 Triq l-Ghajn, Swieqi u detentur ta' numru tal-Pass SZ 256742.

Gie akkuzat talli;

Nhar l-20 ta April 2013, bejn il-15.50 hrs u 18.00hrs, gewwa is-Swieqi u f'dawn il-gzejjer:

1. Talli ghamel hsara ghad detriment ta Valeriu Pileandra l-ammont tal-hsara ma jkunx jiskorri elf mija u erbgħa u sittin euro u disgha u sittin centezmu (1,164.69), imma jkun izjed minn mija u sittax-il euro u sebgha u erbghin centezmu (116.47) u

2. Talli mingħajr il-hsieb li joqtol jew li jqieghed il-hajja ta' Ramona Pileandra u ta' Valeriu Pileandra f'periklu car, ikkaguna hsara hafifa fil-gisem jew fis-sahha tagħhom.

3. Talli uza arma propja mingħajr il-Licenzja tal-Kummissarju tal-Pulizija u

4. u talli volontarjament kiser il-bon-ordni jew il-kwiet pubbliku.

Heard evidence.

Seen the acts of the Case and exhibited documents.
Seen the Attorney General's consent exhibited as Doc DRA1 and noted that accused Augustin Cotea has no objection that his Case be dealt with summarily.

Noted that in today's Sitting there appeared witness Valeriu Pileandra who declared that he does not wish to give evidence in this Case since he is accused in another Case regarding this incident and furthermore declared that he is renouncing to the criminal action against the accused wherever applicable.

Noted that in today's Sitting accused pleaded guilty to the fourth (4.) charge brought against him.

The Court warned accused in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked whether he confirms his admission of guilt or not, the accused confirmed that he is pleading guilty to the fourth (4.) charge brought against him.

Seen Section 338 (dd) of Chapter 9 of the Laws of Malta.

Regarding the first (1.) charge brought against accused Augustin Cotea finds said accused not guilty of this charge since not sufficiently proven and therefore acquits said accused of this charge.

Regarding the second (2.) charge brought against accused Augustin Cotea declares exhaustion of proceedings owing to the renunciation by complainant Valeriu Pileandra.

Regarding the third (3.) charge brought against accused Augustin Cotea finds said accused not guilty of this charge since not sufficiently proven and therefore acquits said accused of this charge.

Regarding the fourth (4.) charge brought against accused Augustin Cotea finds said accused guilty of this charge on admission of guilt and condemns said accused to the punishment of fifty eight Euro (Euro 58) fine (ammenda).

Finally, the Court, by virtue of Section 23 of Chapter 9 of the Laws of Malta, confiscates the object (Pepper Spray) found at folio 15 of the acts of this Case.

< Final Judgement >

-----END-----