



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

**MAGISTRATE DR.  
AUDREY DEMICOLI**

Sitting of the 16<sup>th</sup> July, 2013

Number. 661/2013

**The Police  
(Inspector Daryl Borg)**

**vs**

**Cirligeanu Catalin-Gabriel**

The Court;

Having seen that the accused Cirligeanu Catalin-Gabriel, son of Constantin and Ekaterina nee' Ion born in Romania on the 04/02/1986, residing at 162, Joanne Flats, Flat 1, Triq it-Turisti, Saint Paul's Bay and holder of identity card number 61288A was arraigned before it and charged with having:

On the 15<sup>th</sup> of July 2013 and during the previous months, whilst being in Saint Julians and on these Islands:

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1. Committed theft of a mobile phone, make Samsung Galaxy Young which theft is aggravated by time to the detriment of Nahikari Nunez Urruela in breach of Article 270 of Chapter 9 of the Laws of Malta;

2. Further more during the same date, time, place and circumstances committed theft of a wallet which theft is aggravated by time to the detriment of Michelle Byron in breach of Article 270 of Chapter 9 of the Laws of Malta;

3. Further more during the same date, time, place and circumstances, whilst being on these Islands, knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad or for knowingly taken part, in any manner whatsoever, in the sale or disposal of these items;

Having seen all the acts of the proceedings including the Attorney General's consent dated 16<sup>th</sup> July 2013 (exhibited a. folio 12 & q 13 of the proceedings) for this case to be treated summarily.

Having heard the accused declare that he has no objection that this case is heard summarily.

Having heard the accused plead guilty to the charges brought against him, notwithstanding the fact that the Court warned him of the consequences of his guilty plea after having afforded him sufficient time within which to withdraw his guilty plea.

Having heard the accused plead guilty to the charges brought against him the Court has no alternative but to find the accused guilty of the said charges.

With regards to punishment the Court took into consideration the fact that the accused filed a guilty plea at such an early stage of the proceedings as well as the fact that the res furtiva was given back to the victim.

Informal Copy of Judgement

After having seen Sections 17, 270 and 281 of Chapter 9 of the Laws of Malta, the Court finds the accused guilty of the first(1) and second(2) charge brought against him and condemns him to twelve(12) months imprisonment which in terms of Section 28A of the Criminal Code are being suspended for a period of two(2) years from today.

In view of the fact that the third(3) charge was given alternative to the first(1) and second(2) charges for which the accused is being found guilty, the Court is abstaining from taking further cognisance of the said charge.

**< Final Judgement >**

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