



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

**MAGISTRATE DR.
DOREEN CLARKE**

Sitting of the 7th October, 2013

Number. 987/2013

**Police
(Inspector James Grech)**

vs

Sven Erkens

Case Number 987/2013

The Court

Having seen the charges against Sven Erkens, of 32 years, son of Rolf and Maria nee' Toth, born in Germany, on the 12th June, 1981 residing at Belsol Court 14, Apartment 6, Gifen Street, St.Paul's Bay and holder of Swedish ID card no 9752 2726 989 0003 9297.

Accused of having during the early hours of the 26th September, 2013 in these Islands,

1. Committed the theft of vehicle make Daihatsu Terios bearing registration number SON 153 which was parked in St.Paul's Bay, which theft is aggravated by means, amount exceeding €2, 329.37, time and nature of thing stolen to the detriment of Sonia Coleman and/or other persons, entity and/or entities.

2. Accused moreover with having during the same morning in Zejtun and/or other places in these islands, committed the theft of bank cards from vehicle make Daihatsu Terios bearing registration number SON 153 and subsequently committed the theft of money from an ATM which theft is aggravated by means, time and nature of thing stolen to the detriment of Sonia Coleman and/or other persons, entity and/or entities.

Having seen sections 261(b)(c)(f)(g), 263, 267, 270 and 271 of Chapter 9 of the Laws of Malta.

Having seen that during the hearing held today by this Court sitting as a Court of Criminal Inquiry the defendant admitted the charges brought against him and confirmed his admission of guilt even after having been given time to reconsider his plea.

Having seen the documents exhibited.

Having heard submissions of the parties regarding the penalty to be meted out.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proved.

Regarding the penalty to be meted out, the nature of the offences of which the defendant is being found guilty, his cooperation with the police, his admission at the earliest stage of these proceedings, and his clean conviction sheet.

Wherefore the Court after having seen sections 261(b)(c)(f)(g), 263, 267, 270 and 271 of Chapter 9 of the

Laws of Malta, on his admission finds defendant guilty of the charges brought against him and condemns him to two (2) years imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of four years, further more and by application of section 28H of the same Chapter 9 orders the defendant to pay the injured party the sum of four hundred Euros (€400), payment is to be effected within three months.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the period of four years and if he fails to abide by the orders imposed.

< Final Judgement >

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