



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

**MAGISTRATE DR.
CHARMAINE GALEA**

Sitting of the 13 th December, 2013

Number. 1221/2013

**The Police
(Inspector Joseph Busuttil)**

vs.

Jelena Stojanovic

The Court;

Having seen the charge against Jelena Stojanovic, of thirty four (34) years, daughter of Vlajko and Gordana nee' Rangelovic, born in Srpsko on the 1st of March 1979, residing at Lister Flats, Flat 1, Triq il-Harifa, San Pawl il-Bahar, and holder of Serbian Passport No:-010972029 who was charged:

With having in the islands of Malta in Triq il-Harifa, San Pawl il-Bahar, Malta, between the 28th October 2013 and the 9th December 2013 committed a theft of a hairdryer,

digital camera and several gold items to the detriment of Nejah Nasrallah ID: 49111L from San Pawl il-Bahar, Malta, of which the amount exceeds €232.94 which is aggravated by 'value'. Art 267 of Chapter 9.

After having heard the evidence and seen all the records of the case;

After having heard the accused plead guilty to the charges at an early stage of the proceedings, which guilty plea was confirmed by the same accused after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned her of the legal consequences of that guilty plea, and allowed her sufficient time to re-consider her reply, and to change it;

After having heard the oral submissions on the punishment;

Considers that:

From the evidence brought forward and from the guilty plea registered by the accused herself, the Court concludes that the accused is guilty of the charge laid against her.

As regards the punishment, the Court is taking into consideration the fact that the accused admitted to the charges at a very early stage of the proceedings, that she co-operated with the police, and her clean conviction sheet. The Court also took into consideration that the accused has paid back to the injured party Nejah Nasrallah the sum of one thousand Euros (€1000).

The Court appreciates the fact that the accused has paid back a sum representing the value of the items stolen but is not in agreement with the defence's and prosecution's submissions that the punishment to be meted out to the accused should be one of a conditional discharge.

For these reasons the Court after having seen sections 267 and 279 of Chapter 9 of the Laws of Malta, on her

admission finds accused guilty of the charge brought against her and condemns her to five (5) months imprisonment which by application of section 28A (1) of Chapter 9 are being suspended for a period of twelve (12) months from today.

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the accused, and the consequences which would follow if she fails to abide by it, that is if she commits another offence which is punishable by imprisonment within the operative period.

Finally, in terms of section 392A (2) of the Criminal Code, the Court orders that the acts of this case together with a copy of this judgment be notified to the Office of the Attorney General within the time prescribed by law.

< Final Judgement >

-----END-----