



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

**MAGISTRATE DR.
FRANCESCO DEPASQUALE**

Sitting of the 3rd December, 2013

Number. 1202/2013

**The Police
(Inspector Johann J. Fenech)**

vs.

**Ievengii Balaban
Kostyantyn Dobranov**

Today 3rd December, 2013

The Court;

After having seen the charges brought against:

Kostyantyn Dobranov, aged 29, s/o Igor and Lubov Dobranova, born in Odessa, Ukraine on the 17.07.1984, currently living onboard vessel names Fiona, docked in Birzebbugia and holder of Seaman's ID card no AB 510837, and

Ievengii Balaban, aged 30, s/o Olexander and Larisa Romanienko, born in Odessa, Ukraine on the 01.09.1983, currently living onboard vessel named Fiona, docked in Birzebbugia and holder of Ukrainian Passport no EK069193.

And charge them with having in Birzebbugia during the night between the 2nd and 3rd December 2013:

1. With intent to cause grievous injuries on the persons of PS 1386 A, Agius, PC 931 C. Zarb and PC 829 A. Dougall, persons lawfully charged with a public duty, manifested such intent by overt acts followed by a commencement of the execution of the crime, which crime was not completed in consequence of some accidental cause independent of the will of the offender;

2. Reviled, threatened or caused bodily harm to PS 1386 A. Agius, PC 931 C, Zarb and PC 829 A. Dougall, persons lawfully charged with a public duty, whilst in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty;

3. Assaulted or resisted by violence or active force not amounting to public violence PS 1386 A. Agius, PC 931 C. Zarb and PC 829 A, Dougall, persons lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority;

4. Committed spoil, damage or injury to or upon any movable or immovable property belonging to Evan Mamo, which damages exceed €116.47;

5. Wilfully disturbed the public good order or the public peace.

6. Kostyantun Dobranov alone is charged with having during the same period and circumstances, without intent to kill or to put the life of PC 829 A. Dougall in manifest jeopardy, caused him slight bodily harm as certified by Dr. M. Caruana from PHC.

The Court;

After having heard all the evidence.

Having seen the accusations;

Having seen the Law particularly Section 41, 95, 96, 216, 325 and 338 of Chapter 9;

Having heard the admission of the accused and their apologies in open court;

Having seen that all damages caused by them were immediately paid and that they co operated with the police, once the things calmed down;

The court finds the accused guilty of all the offences and condemns them each to period of imprisonment of one year which imprisonment is suspended for a period of two years.

< Final Judgement >

-----END-----