



MALTA

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

**MAGISTRATE DR.
DOREEN CLARKE**

Sitting of the 6 th April, 2015

Number. 104/2015

**The Police
(Inspector Gabriel Micallef)**

vs

Michael Ellias

Case Number: 104/2015

Today, the 6th April 2015

The Court

Having seen the charges against Michael Ellias of 21 years, son of Stelios and Monika nee' Panayiouto, born in London United Kinngdom, residing at room 447 of the Dolmen Hotel St' Paul's Bay, holder of British passport number 514273870

Charged with having on the 4th April 2015, on these islands had in his possession the drugs (cocaine) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (G.N.292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to him for his personal use, according to a medical prescription as provided in the said regulations, and this in breach of the 1939 Regulations, of the Internal Control of Dangerous Drugs (G.N.292/1939) as subsequently amended by the Dangerous Drugs Ordinance Chapter 101 of the Laws of Malta

The Court was requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed Experts.

Having seen parts 4 and 6 of Chapter 101 of the Laws of Malta and the regulations of Legal Notice 292 of the year 1939.

Having seen the Order of the Attorney General for this case to tried summarily by this Court sitting as a Court of Criminal Judicature.

Informal Copy of Judgement

Having heard the defendant admit the charge brought against him and confirm his admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard submissions regarding the penalty to be meted out.

Having considered

That defendant admitted the charge brought against him; this is consequently sufficiently proven.

With regards the penalty to be meted out, the Court took into consideration the nature of the offence of which defendant is being found guilty, his co-operation with the police, his clean conviction sheet, and his admission at the earliest stage of these proceedings.

Wherefore the Court, after having seen parts 4 and 6 of Chapter 101 of the Laws of Malta and the regulations of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charge brought against him and by application of section 22 of Chapter 446 of the Laws of Malta discharges him on condition that he does not commit an other offence in the period of one year. The Court is ordering the destruction of the exhibit marked Dok GM6 under the supervision of the Registrar of this Court.

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 one year.

< Final Judgement >

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