



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA

Sitting of the 5 th July, 2015

Number. 539/2015

The Police

(Inspector Elton Taliana)

vs

BRANISLAV PAVIC

The Court,

Having seen that the accused **BRANISLAV PAVIC**, holder of ID number X2746802 was arraigned before her and charged with having on these islands on the 5th July 2015 at around three o'clock in the morning (03:00hrs) in St Julians or in the vicinity:

- 1) Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the person of Ennio Scicluna as certified by Dr M Ashraf MD from Mater Dei Hospital.

The Prosecution also requested the Court, that if the accused is found guilty, to provide for the safety of Ennio Scicluna or for the keeping of the public peace or for the purpose of protecting the injured persons or other individuals from harassment or other conduct which will cause a fear of violence, issue a Protection Order.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular statement of the accused, current incident report, medical certificate, true copy of the passport of the accused and the passport of the accused animo ritirandi.

Having heard the accused declare that he does not understand the Maltese language though he understands the English language and thus the Court ordered that the proceedings are to be held in the English language in terms of Section 5 of the Judicial Proceedings Act.

Informal Copy of Judgement

Having heard the accused declare that he is indigent, the Court appointed Dr Martin Fenech as Legal Aid Lawyer to assist the accused.

Having heard the accused declare that he understands the nature of the charges brought forward against him.

Having heard the accused plead guilty to the charges brought forward against him.

The Court explained to the accused the consequences of his plea of guilt and after having given the accused sufficient time to reconsider his guilty plea and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

The Court saw that the accused does not have a history of crime and consequently is dealing with him as a first time offender.

Thus the Court, having seen the relevant sections at law, in particular Sections 41 and 216 Chapter 9 of the Laws of Malta, decides to find the

accused BRANISLAV PAVIC guilty of the charges brought forward against him by the prosecution and condemns him to one year imprisonment suspended for two years in terms of Section 28A of Chapter 9 of the Laws of Malta.

Finally the Court orders that a copy of this judgement together with the acts of these proceedings be sent to the Attorney General within three (3) days in terms of Section 401(3) of the Criminal Code.

< Final Judgement >

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