

Court of Magistrates (Malta)
As a Court of Criminal Judicature

The Police
(Inspector Matthew Spagnol)

Vs

Tija Budescu

Today 22nd October, 2015

The Court,

Having seen the charges brought against the accused Tija Budescu, daughter of Gorge and Lana born in Rumania on the 9th July 1949, and resides at 65, St George Street, St Julians and holder of passport number 086742098 :

1. For having on the 15th September 2015 at about 18:00 committed theft of spectacles of mark Stark, black, from Optika establishment, to the detriment of Renae Louise Frendo, which theft is aggravated by value which does not exceed two thousand three hundred and twenty-nine euro and thirty seven cents (€2,329.37) (Art 279(a) Chapter 9).
2. For having in these past weeks knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad, or shall knowingly take part, in any manner whatsoever, in the sale or disposal of the same. Art. 334 Kap 9
3. For being a recidivist in terms of article 49 and 50 on theft (Art 289 Chapter 9) by means of a judgment delivered by Magistrate Dr Scerri Herrera LL.D on the 12th August 2015.

Having heard the accused plead guilty to the 1st and third charges brought against her, notwithstanding the fact that the Court warned him in the most solemn manner of the legal consequences of her guilty plea after having given her sufficient time within which to reconsider and withdraw her guilty plea;

Having heard the prosecution and defence counsel make their submissions.

Having seen all the acts and documents exhibited;

Considers:

Having heard the guilty plea of the accused to the first and third charges brought against her the Court has no alternative but to declare the accused guilty of these charges brought against her.

The Prosecution renounced to the second charge.

With regards to punishment the Court took into consideration the fact that the accused pleaded guilty at an early stage of the proceedings, the circumstances of the case, and also of the fact that the accused was found guilty of having committed theft merely few weeks before.

In view of the above, the Court, whilst abstaining to take further cognizance of the second charge, after having seen articles 279(a), 49, 50 and 289 of Chapter 9 of the Laws of Malta, upon admission finds the accused guilty of all the other charges brought against her and condemns her to five (5) months imprisonment out of which any period which she has been under preventive arrest is to be reduced.

Magistrate

Dr Josette Demicoli LL.D