

**IN THE COURT OF MAGISTRATES (MALTA)**

**AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE**

**DR. ANTHONY J. VELLA BA., LL.D., MA**

**TODAY 28<sup>th</sup> January 2016**

**Police**

**Inspector Maurice Curmi**

**Vs**

**Omissis**

**The Court;**

After seeing the charges brought against Omissis;

With having on July 2015 and the preceding weeks in Malta, committed several acts at different times but violated the same provision of the law, and were committed in pursuance of the same design: (in terms of article 18 of the Criminal Code).

- 1) He is being charged also with having on the same date, time and circumstances, by means of any unlawful practice, or by the use of any fictitious name, or assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or

apprehension of any chimerical event, made gain not exceeding five hundred euro (500), to the detriment of Nicolas Dimech holder of ID card number 124064(A), in terms of Articles 308, 309 and 310 of the Criminal Code, Chapter 9, of the Laws of Malta;

- 2) He is being charged also with having on the same date, time and circumstances without authorization made use of another person's access code, password, user name, electronic mail address or other means of access or identification information in a computer or in any manner infringes any security measure to gain access without authorization to the whole or to any part of an information system, in terms of Article 337C(1)(i) of the Criminal Code, Chapter 9 of the Laws of Malta;
- 3) Moreover, he is being charged with having on the same date, time and circumstances, committed theft of a BOV Cashlink Visa card, to the detriment of Nicholas Dimech, in terms of Article 284 and 285 of Chapter 9 of the Laws of Malta;
- 4) Finally he is being charged with having on the same date, time and circumstances, knowingly received or purchased property which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad, or knowingly took part, in any manner whatsoever, in the sale or disposal of the same, in terms of Article 334 of the Criminal Code, Chapter 9 of the Laws of Malta.

Having heard the accused plead guilty to the charges brought against him, notwithstanding the fact that the Court warned him in the most solemn manner of legal consequences of his guilty plea after giving him 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;

Having seen that the accused was a minor at the time of the offence;

**Considers;**

After having seen Articles 284, 285, 308, 309, 310, 334, 337C(1)(i), 532A, 532B and 533 of Chapter 9 of the Laws of Malta;

After having heard the evidence and the documents exhibited;

The Court finds the said accused guilty and is ordering that he be placed under a Probation Order for a period of three (3) years, in accordance with Article 7 of Chapter 446 of the Laws of Malta .

**DR ANTHONY G VELLA BA. LL.D. M.A.**

**MAGISTRAT**