

**In the Court of Magistrates
As a Court of Criminal Judicature**

**Sections 261 (a) (c), 262, 267, 276, 277, 280, 334 of Chap. 9
Sections 14 and 15 of Chapter 217 of the Laws of Malta.**

**Magistrate
Doctor Consuelo Scerri Herrera LL D
Dip. Eccl. Trib. Rel. Studies**

**The Police
Inspector Sandro Zarb
(Immigration Officer)
Inspector Ramon Mercieca
vs**

PANTUROIU GHEORGHE

Today the sitting of 3rd July, 2002

The Court,

Having seen that the accused **PANTUROIU GHEORGHE** aged 47, son of unknown father and Ioana Marchidan born in Branesti on the 31st May, 1955 in possession of passport number 359335 was brought forward before her and charged with:

1. Having on the 1st of April, 2002, at about 5.45pm together with two other Romanian persons Elena Catalina Loredana Erghelegiu and Dinu Mircea committed theft of a diamond ring valued more than LM 1,000 from a jewelry shop

styled Azzopardi Jewelry of St. Anne Street, Floriana to the detriment of Joseph Emanuel Azzopardi of St. Julians which theft is aggravated by violence and amount.

2. During the previous weeks committed the theft of different items valued more than LM 500 from various shops in Malta and Gozo to the detriment of unknown persons.
3. Further more with knowingly receiving or purchasing any property which has been stolen, misapplied or obtained by means of any offence or knowingly took part in any manner whatsoever in the sale or disposal of same.

The Court was requested that besides awarding the punishments according to the Law declares the above mentioned person as a prohibited immigrant and issue a Removal Order from these islands against him in terms of Sections 14 and 15 of Chapter 217 of the Laws of Malta.

The Court saw the relevant articles sent from the Attorney General on the 21st of June, 2002 against the accused and his request that this Court will convert itself to a Court of Criminal Judicature.

The Court heard the accused declare that he has no objection that his case be dealt with summarily.

The Court heard the accused plead guilty of the charges brought forward against him, and was assured that the accused understood the nature of the accusations brought forward against him through the legal assistance given to him.

The Court saw that certain charges were given in an alternative fashion in particular that of theft with that of receiving stolen property.

Thus the Court examined the evidence brought forward by the Prosecution up till this stage and decides to find the accused guilty of the charge of stealing goods obtained through an illegal means.

The Court saw the relevant sections at law in particular Sections 261 (a) (c), 262, 267, 276, 277, 280, 334 of the Criminal Code and Sections 14 and 15 of Chapter 217 of the Laws of Malta.

The Court is finding the accused PANTUROIU GHEORGHE guilty of the charge of receiving stolen property and not guilty of the charge of theft from which charge the Court is acquitting him.

The Court is condemning the accused for the offence found guilty to a term of imprisonment to a term of eighteen months which period is being suspended for a period of three years in terms of section 28 (a) of Chapter 9 of the Laws of Malta.

Consequently the Court is upholding the request of the Prosecution in terms of Section 14 and 15 of Chapter 217 of the Laws of Malta and orders that a removal order from these islands is issued against the accused.

The Court explained the importance of this judgment to the accused and the consequences if he fails to adhere to it.

**Consuelo Scerri Herrera LL.D
Magistrate**