

**Court of Magistrates (Malta)
As A Court of Criminal Judicature**

Magistrate Dr. Claire L Stafrace Zammit B.A. LL.D.

**The Police
[Inspector Godwin Scerri]**

-vs-

Curguz Dragan

Case Number: 557/16

Today, the 5th of December, 2016

The Court,

Having seen that the accused Curguz Dragan, holder of Serbian Passport number 11242045.

Was charged with having:

1. On the 19th of October 2016, at around 13:15hrs in St Paul's Bay with the intent to commit the crime of theft from vehicle make Toyota bearing registration number GBR-629, manifested such intent and were such crime was not completed in consequence of an accidental cause independent of his will, in breach of **Articles 41(1)(a) & 271(g) of Chapter 9 of the Laws of Malta.**
2. And accuse him of having on the same date, time and circumstances mentioned above, willfully committed voluntary spoile, damage or injury to or upon any movable or immovable object, of damage that exceeds 250€, but does not exceed the ammount of 2500€ to the detriment of Daryl Borg Cardona in breach of **Article 325 (1)(b) of Chapter 9 of the Laws of Malta.**
3. And accuse him of having on the 26th of September 2016 at around 02:15hrs from the *Barracuda Restaurant* situated at Steps Street in St Paul's Bay committed the theft of bottled alcoholic beverages, to the

detriment of Dylan Farrugia, in breach of **Article 270 of Chapter 9 of the Laws of Malta.**

4. And accuse him of having during the night between the 17th & 18th of October 2016, from the *Soul Kitchen Restaurant* situated in Mosta Rd in St Paul's Bay, committed the theft of bottled alcoholic beverages, to the detriment of Dylan Farrugia, Justin Micallef & Simone Farrugia in breach of **Articles 263(a), 267 & 270 of Chapter 9 of the Laws of Malta.**
5. And accuse him of having during the night between the 17th & 18th of October 2016, whilst at the *Soul Kitchen Restaraunt* willfully committed voluntary spoile, damage or injury to or upon any movable or immovable object, of damage that exceeds 250€, but does not exceed the ammount of 2500€ to the detriment of Dylan Farrugia, Justin Micallef & Simone Farrugia in breach of **Article 325 (1)(b) of Chapter 9 of the Laws of Malta.**
6. And accuse him of having on the 5th of September 2016 at St Paul's Street in St Paul's Bay committed theft of cash, electronic equipment and clothing from vehicle make Smart bearing registration number LCU-684 to the detriment of Jonathon Paul Grima, in breach of **Article 267, 271(g) of Chapter 9 of the Laws of Malta.**
7. And accuse him of having on the 5th of September 2016 at St Paul's Street in St Paul's Bay, willfully committed voluntary spoile, damage or injury to or upon any movable or immovable object, of damage that does not exceed 250€, to the detriment of Jonathon Paul Grima in breach of **Article 325(1)(c) of Chapter 9 of the Laws of Malta.**
8. And accuse him of having on the 17th of October 2016 at around 21:15hrs at Church Street in St Paul's Bay committed theft of cash, personal bank documents (HSBC) and clothing from vehicle make Isuzu bearing registration number CBA-953 to the detriment of Joevin Ellul, in breach of **Article 270, 271(g) of Chapter 9 of the Laws of Malta.**
9. And accuse him of having on the 17th of October 2016 at around 21:15hrs at Church Street in St Paul's Bay, willfully committed voluntary spoile, damage or injury to or upon any movable or immovable object, of damage that does not exceed 250€, to the detriment of Joevin Ellul in breach of **Article 325(1)(c) of Chapter 9 of the Laws of Malta.**

Seen the note of the Attorney General whereby it is being consented to that these proceedings are to be dealt with summarily;

Seen that the accused pleaded to be admitted to a residential programme for drug rehabilitation;

Seen that he registered a guilty plea and reconfirmed such plea after being given enough time to reconsider;

Seen that he did not request bail to be granted in view of the fact that he registered a guilty plea and that he wanted to avail himself of him being placed in a residential programme available for drug rehabilitation;

In view of this and in view of the guilty plea by the accused and after having seen Articles 17(b), 41(1)(a), 263(a), 267, 270, 271(g), 278(3), 280(1), 279(a), 281(a), 325(1)(b) (c) of Chapter 9 of the Laws of Malta, this court is finding accused **Dragan Curguz** guilty of all the charges brought against him and condemns him to twenty eight (28) months imprisonment in which period he is to be given adequate treatment for his drug problem and consequently to be admitted into one of the programmes available on the island for drug problems.

Dr Claire L Stafrace Zammit B.A. LL.D.
Magistrate

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