



Courts of Magistrates (Malta)
As a Court of Criminal Judicature
Magistrate Dr. Francesco DePasquale LL.D., LL.M. (IMLI)

**The Police
(Inspector Godwin Scerri)**

Vs

**Ion Balan
Constantin Teodorescu**

Today, the 25th September 2017

The Court;

Having seen the charges laid against:

Ion Balan of 59 years, son of Nicolae & Ioana nee Bercescu, born in Arges, Romania on the 3rd of January 1958 and temporarily residing at 'The 7 Apartments' St George's Road, St Julians, holder of Romanian Passport Number: 14173191.

and

Constantin Teodorescu of 67 years, son of Constantin & Maria nee Dunca, born in Bucharest on the 2nd of October 1950 and temporarily residing at 'The 7 Apartments' St George's Road St Julians, holder of Romanian Passport Number: 052677183.

Charged with having in these islands:

- On the 13th of September 2017 at around 09:45hrs, whilst inside the Mosta Parish Church situated at Rotunda Square in Mosta,

together with another person, committed the crime of theft of a wallet, with such crime aggravated by violence and place in breach of **Articles 262(b), 269(a) of Chapter 9 of the Laws of Malta.**

- And accuse them of having on the same date, time and place, together with another person, with the intent to commit the crime of theft aggravated by violence and place, manifested such intent by over acts which were followed by the commencement of the execution of the crime, with the crime not completed in consequence of some accidental cause independent of the will of the offenders in breach of **Articles 41(1)(a), 262(b)u 269(a) of Chapter 9 of the Laws of Malta.**

The Court has been informed that the accused does not understand English and Maltese Languages, and in this regard, the Court appointed Iona Sanda Micallef as an interpreter to introduce from English to Romanian Language and ordered that the procedures will continue in English Language.

The Court,

Saw that the accused does not object in having been arraigned under arrest and the accusations were read out and the accused declared that he understood the accusations being made and the consequences therein.

The accused pleaded guilty.

Having asked the accused if he was aware of the consequences of the admission, he re-confirmed the admission.

The Court examined the documentation exhibited by the prosecution.

Saw the Legislation **Articles 262(b), 269(a) of Chapter 9 of the Laws of Malta and Articles 41(1)(a), 262(b)u 269(a) of Chapter 9 of the Laws of Malta.**

Having heard the admission of the accused.

Having heard the prosecution and the defence lawyers.

Notes that Constantin Teodorescu is aged 67 years, while Ion Balan is aged 59 years.

Notes also that the offences occurred in a Church, which fact further aggravates the offence.

Finds both the accused guilty of the offences and in the case of **Ion Balan** condemns him to an imprisonment for a period of **6 months** while in the case of **Constantin Teodorescu**, having taken note of his age, condemns him to a period of imprisonment for a period of **six months suspended for four years**.

Magistrate Francesco Depasquale

Rita Sciberras
Deputy Registrar