



**Court of Magistrates (Malta)
as a Court of Criminal Judicature**

Magistrate Dr. Doreen Clarke LL.D.

Today, 2nd July, 2018

**The Police
(Inspector Elton Taliana)**

vs

Costel Popovici

Case Number: 627/2015

The Court,

Having seen the charges against **Costel Popovici** holder of passport number 52309323.

Charged with having in these islands on the 03rd August, 2015 at around 15.00Hrs. in St. Julians or in the vicinity:-

1. Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm on the person of Mircea Lucian Gheorghe (Article 216 Chapter 9 of the Laws of Malta).
2. On the same date, time, place and circumstances, with the intent to commit a crime hence to commit wilful grievous bodily harm on the

person of Mircea Lucian Gheorghe, manifested such intent by overt acts which was followed by a commencement of the crime, which crime was not completed in consequence of some accidental cause independent of the will of the accused. (Article 41(1)(a) 216, 218 Chapter 9 of the Laws of Malta).

3. On the same date, time, place and circumstances wilfully disturbed the public peace and order. (Article 338(dd) Chapter 9 of the Laws of Malta).

Having seen that during the sitting held today by this Court Sitting as a Court of Criminal Inquiry the defendant admitted the charges brought against him and confirmed this admission of guilt even after having been given time to reconsider his plea.

Having heard the submissions of the parties regarding the penalty to meted out.

Having seen the acts of the proceedings.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proven.

With regards to the penalty to be meted out the Court considered the nature of the offences of which defendant is being found guilty on the one hand, and on the other hand his admission and his clean conduct sheet.

Wherefore the Court, after having seen sections 214, 215, 216(1)(d), 41(1)(a), 218(1)(a) and 338(dd) of Chapter 9 of the Laws of Malta on his admission finds defendant guilty of the charges brought against him and condemns him to two years imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of four years.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the period of four years.

DR. DOREEN CLARKE
MAGISTRAT