

**COURT OF MAGISTRATES (GOZO)
AS A COURT OF CRIMINAL JUDICATURE**

MAGISTRATE: Dr Joanne Vella Cuschieri LL.D.

The Police
(Inspector Bernard Charles Spiteri)

-vs-

Jordanovski Srdan aged 32 years, son Marinko and Svetlana nee' Bartic, at Sremska Mitrovica, Serbia on the 8th March 1986 and holder of Serbian passport number 013242700.

Vukasin Mitovski, aged 25 years, son of Dragaw and Bkjana nee' Paurouski, born at Vrsac, Serbia, on the 5th June 1992 and holder of Serbian passport number 012581026

Today 5th September 2018

The Court;

Having seen the charges brought forward against the accused with having on the 3rd September 2018 whilst being at 'The Lighthouse Supermarket', Fortunato Mizzi Street, Victoria Gozo or at the Maltese Islands:

1. Committed theft of food items and alcohol bottles, which value does exceed hundred and thirty-two euro and ninety four cents (€232.94c) but does not exceed two thousand and three hundred and twenty-nine euro and thirty seven cents (€2,329.37c), which theft have been aggravated by amount to the detriment of Walter Farrugia.

2. And also charge them with having on the 1st September 2018 whilst being at 'G&R Supermarket', Capuchin Street Victoria, Gozo or at the Maltese Islands committed theft of alcohol bottles, which value does exceed hundred and thirty-two euro and ninety four cents (€232.94c) but does not exceed two thousand and three hundred and twenty-nine euro and thirty seven cents (€2,329.37c), which theft has been aggravated by amount to the detriment of Kevin Pisani.

3. And also charged them with having between the 1st and 3rd September 2018, in the Maltese Islands knowingly received or purchased any property which has been stolen, misapplied or obtained by any means of any offence, whether committed in Malta or abroad, or shall knowingly take part, in any manner, whatsoever, in the sale or disposal of the same.

After having heard the evidence and seen all the records of the case, including the consent of the Attorney General for the case to be dealt with summarily, and having heard the offenders declare that they have no objection that the case be dealt with summarily;

After having heard the offenders plead guilty to the charges at an early stage of the proceedings, which guilty plea was confirmed by the same offenders after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned them of the legal consequences of that guilty plea, and allowed them sufficient time to re-consider their reply, and to change it;

After having heard the oral submissions on the punishment;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offenders themselves, the Court concludes that the offenders are guilty of the charges laid against them.

As regards the punishment, the Court took into consideration the fact that the offenders admitted to the charges at a very early stage of the

proceedings, that they co-operated with the police, that most of the stolen items have been recovered and their clean conviction sheet.

For these reasons the Court after having seen sections 17, 261, 267, 279 of the Criminal Code on their admission finds offenders guilty of the charges brought against them and condemns them to twelve (12) months imprisonment which by application of section 28A (1) of Chapter 9 are being suspended for a period of two (2) years from today.

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the offenders, and the consequences which would follow if they fail to abide by it, that is if they commit another offence which is punishable by imprisonment within the operative period.

Court orders that exhibits BS 15 and BS 16 are released back to the owners.

(sgd.) Dr Joanne Vella Cuschieri
Magistrate

(sgd.) Maureen Xuereb
D/Registrar

True copy

D/Registrar