



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

Magistrate Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)

Today, the 25th day of September, 2018

**The Police
(Inspector Mark Mercieca)**

-vs-

**Stefan Asenov Ivanov, holder of Maltese Identity Card number
72521A and Bulgarian identification card number 641847286**

Criminal Proceedings No. 534/2017

The Court,

Having seen the charges brought against the accused **Stefan Asenov Ivanov** who is being charged with having:

On the 5th November, 2017, in the evening at Sliema;

1. Without the intent to kill or to put life in manifest jeopardy, caused grievous bodily harm on the person of Evgeniy Petrov, as certified by Dr. Nicholas Vella, Med Reg. 5905 and Dr. Christine Vella of Mater Dei Hospital;
2. As being a recidivist as per articles 49, 50 of the Criminal Code, after being sentenced by Magistrate Dr. Natasha Galea Sciberras LL.D dated 22nd February, 2016, which sentence has become *res judicata*.

The Court is also asked to issue a protection order in terms of article 412C of the Criminal Code in favour of Evgeniy Petrov.

Having Considered:

Whereas having heard the accused plead guilty to all charges brought against him notwithstanding the fact that the Court warned him in the most solemn manner of the legal consequences of his guilty plea, and after having given him sufficient time within which to reconsider and withdraw his guilty plea;

Having heard witnesses;

Having seen all the acts and documents exhibited;

Having heard the prosecution and defence counsel make their submissions;

Considers:

Having heard the guilty plea of the accused to the charges brought against him, the Court has no alternative but to declare the accused guilty of the said charges.

With regards to punishment the Court took into consideration the accused's admission of guilt, the nature of the offences of which he stands charged, his criminal record and the circumstances of the case, in particular, the fact that the victim has forgiven the accused to the extent that he even requested that charges against the accused, whom he considers a friend, be withdrawn.

In view of the above, the Court, after having seen articles 17, 31, 49, 50, 214, 215, 218(1)(a)(b)(2) of the Criminal Code, upon his admission, finds the accused guilty of the charges brought against him and condemns him to two years imprisonment.

Considering the evidence of the injured party the Court finds no reason to issue a restraining order on the accused.

Finally in terms of Article 533 of Chapter IX of the Laws of Malta the accused is being ordered to pay €270.20 in connection with the employment of experts in this case.

Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)
Magistrate