



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

Magistrate Dr. Doreen Clarke LL.D.

Today, the 23rd August 2021

**Police
(Inspector Priscilla Caruana Lee)**

vs

Evgeniy Petrov

Case Number: 44/2021

The Court,

Having seen the charges against Evgeniy Petrov of 33 years, born in Sofia, Bulgaria on the 5th of September, 1987 son of Evgeniev u Bozhanka Dragneva, with no residence in Malta and holder of Bulgarian Identity card number 646233239 u personal number 8709056464.

Charged with having on the 19th of January, 2021 at about 1:30hrs from ROCS Group offices situated in St. Anne Street, Floriana and on these islands:

1. Committed the theft of a laptop make Apple value €2,900 which theft is aggravated by value which exceeds the amount of two thousand and three hundred and twenty-nine Euros and thirty seven cents (€2,329.37) and by time, to the detriment of Rachel-Jane Vella and/or other.

Charged also with having, between the 12th and 13th January, 2021 between 23:00hrs and 07:00hrs from Republic Steet, Valletta and on these islands:

2. Committed the theft of a bag inside of which were a mobile phone make Sony Experia Z2, 100 Euros in cash, a Polish Passport and some clothes, which theft is aggravated by time, to the detriment of Pawel Piotr Kaczmarczyk and/or other persons.

Charged also with having on the 23rd of January, 2021 and in the previous days, weeks and/or months in Valletta and on these islands:

3. Led an idle and a vagrant life; and
4. Having in any public place importuned persons to beg alms.

The Court, was requested to deal with the accused Evgeniy Petrov as becoming a recidivist in terms of articles 49, 50 and 289 of Chapter 9 of the Laws of Malta and this according to various judgments given by the Magistrates Court (Malta) which judgments become absolute and cannot be changed.

Having seen the note of the Attorney General whereby, in terms of section 370(3)(a) of Chapter 9 of the Laws of Malta, the acts were transmitted to this Court for this case to be tried summarily for the offences contemplated in the following provisions of Law:

- a) 261(c)(f), 267, 270, 279(a) and 280(1) of Chapter 9 of the Laws of Malta;
- b) 261(f), 270 and 281(a) of Chapter 9 of the Laws of Malta;
- c) 338(w) of Chapter 9 of the Laws of Malta;
- d) 338(x) of Chapter 9 of the Laws of Malta;
- e) 17, 31, 49, 50 and 289 of Chapter 9 of the Laws of Malta;

Having seen the joint application of the Attorney General and the defendant whereby the parties informed the Court of their agreement that, should the defendant admit the charges proffered against him, the punishment to be awarded may consist of a term of effective imprisonment of twenty-two (22) months together with any other sanctions, expenses and consequences that are mandatorily prescribed by law upon conviction in terms of Chapters 9 of the Laws of Malta.

Having seen that the defendant had no objection to the case proceeding summarily before this Court sitting as a Court of Criminal Juducature.

Having seen that during the sitting held today the defendant admitted the charges brought against him and confirmed this admission of guilt after having been informed of the consequences of the request he filed and even after having been given time to reconsider his plea.

Having seen article 392A(5) of Chapter 9 of the Laws of Malta.

Having heard the submissions of the parties.

Having seen the acts of the proceedings.

Having considered

The defendant admitted the charges proffered against him; these are consequently sufficiently proven.

With regards to the penalty to be meted out the Court took into consideration the nature of the charges of which defendant is being found guilty, the fact that (with reference to the first charge) the value of the object stolen does not exceed the amount of €2329.27¹ and that the said object (a laptop) has been retrieved, his conviction sheet, as well as his admission. The Court also took into consideration the joint application filed by the parties, the penalty they agreed to, and that this penalty is within the parameters established by law. In these circumstances the Court is adhering to the request of the parties and awarding the sentence they indicated.

Wherefore the Court, after having seen sections 49, 50, 261(c)(f), 267, 270, 289, 338(w)(x) of Chapter 9 of the Laws of Malta, on his admission finds the defendant guilty of the charges brought against him and condemns him to twenty two (22) months imprisonment. The Court is recommending to the Director of the Corradino Correctional Facility that the defendant follows a drug rehabilitation program.

DR. DOREEN CLARKE LL.D
MAGISTRATE

¹ The Attorney General has in fact indicted section 279(a), together with section 280(1), of Chapter 9 of the Laws of Malta as the provision of Law regulating the penalty to be meted out with regards to the first charge.