



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

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

**The Police  
(Inspector Roderick Spiteri)**

**-vs-**

**Pakeetharan Kathirkamanathan, holder of Passport Number N6985341.**

*Criminal Proceedings No.5444/2022*

Today, the 24<sup>th</sup> August, 2022

The Court

Having seen the charges brought against the defendant *Pakeetharan Kathirkamanathan* for having:

On these Maltese Islands, on the 12/08/2022 committed:

- 1) aggravated theft from 'The Journey', Triq Schembri, Hamrun and/or any other property, which theft took place at the detriment of Fredrick Joseph Grech ID. 264587M and/or any other person and/or any other entity, which theft is qualified by 'time'.

On these Maltese Islands, on the 15/08/2022 committed:

- 1) aggravated theft from 'The Journey', Triq Schembri, Hamrun and/or any other property, which theft took place at the detriment of Fredrick Joseph Grech ID. 264587M and/or any other person and/or any other entity, which theft is qualified by 'time'.

On these Maltese Islands, on the 21/08/2022 committed:

- 1) aggravated theft from 'The Journey', Triq Schembri, Hamrun and/or any other property, which theft took place at the detriment of Fredrick Joseph Grech ID. 264587M and/or any other person and/or any other entity, which theft is qualified by 'time'.

On these Maltese Islands, on the 24/08/2022 committed:

- 1) attempted aggravated theft from 'The Journey', Triq Schembri, Hamrun and/or any other property, which theft took place at the detriment of Fredrick Joseph Grech ID. 264587M and/or any other person and/or any other entity, which theft is qualified by 'time'; which crime was not completed in consequence of some accidental cause independent of the will of the offender.

The court was requested to, in case of a guilty verdict, besides pronouncing judgment or in any subsequent order, take into account Article 533 of Chapter 9 of the Laws of Malta.

Whereas having heard, in today's sitting, the defendant plead guilty to the 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 on punishment;

Considers,

Having heard defendant enter a guilty plea to the charges brought against him, the Court declares the defendant guilty of the said charges.

With regards to punishment, the Court took into consideration the accused's early admission of guilt, the nature of the offences of which he is being found guilty, his clean criminal record<sup>1</sup> and the circumstances of the case wherein the provisions of article 18 of the Criminal Code undoubtedly find application.

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<sup>1</sup> Doc.RS2

In view of the foregoing, the Court, after having seen articles 18, 41(1)(a), 261(f), 270 and 281(a) of the Criminal Code, Chapter 9 of the Laws of Malta, finds the defendant guilty of the charges brought against him, condemns him to a punishment of **ten (10) months imprisonment** which, by application of article 28A of the Criminal Code, are being suspended for two (2) years.

Finally, having seen article 5(2)(d) of the Immigration Act, Chapter 217 of the Laws of Malta, the Court recommends that the Principal Immigration Officer exercises the powers laid out under the said Act.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an offence during the operative period of this sentence.

Orders that a copy of this judgement is notified to the Principal Immigration Officer.

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