



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

**MAGISTRATE DR.
ABIGAIL LOFARO**

Sitting of the 2 nd May, 2003

Number. 377/2003

Police
(Inspector Mario Tonna)
(Inspector Raymond Gregory)

vs

Dmytro Malook

The Court;

Having seen the indictment brought against the above mentioned defendant, by virtue of which he was charged with having on these islands on the 28, 29 and 30 April 2003, in St Julians and other places on these islands, with several acts committed at different times, violated the same provisions of the law, and committed in pursuance of the same design;

1. Forged any currency notes or uttered any forged currency notes, that is 2,600 Euros, knowing the same to be forged and this in breach of Article 45 of Chapter 204 of the Laws of Malta;
2. Without lawful authority or lawful or reasonable excuse, purchases or received from any person, or had in his custody or possession, forged currency notes, that is 2,600 Euros, knowing the same to be forged and this in breach of Article 46 of Chapter 204 of the Laws of Malta;
3. For having forged any schedule, ticket, order or other document whatsoever upon the presentation of which any payment may be obtained, or any delivery of goods effected, or a deposit or pledge withdrawn from any public office or any bank or other public institution established by the Government, or recognised by any public act of the Government, and this in breach of sec. 167(1) and 169 of Chapter 9 of the Laws of Malta;
4. For having committed any kind of forgery, or shall knowingly make use of any other forged document, and this in breach of sec. 189 of Chapter 9 of the Laws of Malta;
5. For having by means of any unlawful practice, or by the use of any fictitious name, or the assumption of any false designation, or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, or to create the expectation or apprehension of any chimerical event, made gain of more than LM100 but less than LM500 to the prejudice of Eurochange Company Ltd, PDK Financial Services Ltd., and this in breach of Articles 308, 309 and 310 of Chapter 9 of the Laws of Malta;

Having heard accused plead guilty to all charges, not withstanding the fact that the Court warned him of the consequences of his plea and having afforded to him sufficient time within which to withdraw his guilty plea.

Finds accused to be guilty of all charges, after having seen Sections 45, 46 of Chapter 204 and Sections 167(1), 169, 21, 189, 308, 309, 310, 11, 370(4), 390(1), 392 and 392A of Chapter 9. Having heard the prosecution officer

Informal Copy of Judgement

declare that accused has a clean criminal record, that he co-operated fully with the Police during investigations and that he fully compensated his victims, does not deem imprisonment to be a just punishment to fit the crime, therefore, after having also seen Section 28A of Chapter 9 condemns accused to two years imprisonment, which term is being suspended for a period of four years from today. The Court declares that it has explained to defendant in plain language the consequences of this judgement, according to Section 28B of Chapter 9.

The Court after having seen also Section 392A of Chapter 9 orders that the acts of these proceedings together with a copy of this judgement, be sent to the Attorney General, in accordance with Section 401(3) of Chapter 9.

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