



MALTA

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

**MAGISTRATE DR.  
ABIGAIL LOFARO**

Sitting of the 2<sup>nd</sup> May, 2003

Number. 378/2003

Police  
(Inspector Joseph Mercieca)

VS

Christian Matthew Kelly

The Court;

Having seen the indictment brought against the above mentioned defendant, by virtue of which he was charged with having on the night between the 28<sup>th</sup> and 29<sup>th</sup> April 2003, in Triq Sir Luigi Preziosi, St Pauls Bay, in any way whatsoever, knowingly aided and or abetted Gareth Dowling in the commission of a theft from jeep bearing registration number BBB937 to the detriment of Martin Scerri which theft is aggravated by amount that does not exceed LM500 (Sect 267 of Chap 9), time (Sect. 270 of

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Chap. 9) and the nature of the thing stolen (Sect. 271(g) of Chap. 9);

Having heard accused plead guilty to all charges, not withstanding and having afforded to him sufficient time within which to withdraw his guilty plea;

Having also informed accused of his right to be assisted by legal counsel and that, if he does not have sufficient means, of his right to be assisted by counsel for legal aid.

Finds accused guilty of all charges, after having seen sections 261(c), 261(f), 261(g), 267, 270, 271, 279, 280, 281, 17, 20, 42, 43, 370(4), 390(1), 392 and 392A of Chapter 9.

Having heard the prosecuting officer declare that accused has a clean criminal record and has fully co-operated with Police during investigations, does not deem imprisonment to be a fit punishment for the crime, therefore, after having also seen section 22 of Chapter 446, frees accused on the condition that he does not commit another offence within a period of three years from today.

The Court declares that it has explained to accused in plain language the legal import of this judgement.

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