



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

**MAGISTRATE DR.
GIOVANNI GRIXTI**

Sitting of the 29th May, 2003

Number 462/2003

**The Police
(Inspector Martin Sammut)**

vs

Dmytro Glotov

Sitting of today, 29 May, 2003.

The Court

Having seen the charges brought against Dmytro Glotov, 18 years, son of Sergey and Marianna nee' Shemet, born in Ukraine and residing at 'Lourdes', Triq il-Qantar, Swieqi, holder of passport Ukraine Passport number AM463167, as reported on the first folio of these acts as follows:

With having on these Islands on the 26 May 2003 and the weeks before, in St. Julians, Swieqi, Sliema and other places on these places on these Islands by means of several acts, committed at different times in pursuance of the same design and which constitute violations of the same provisions of the law:

1. Committed the theft of a laptop computer make Compaq Armada, to the detriment of Jurgen Boni which theft exceeds Lm100 but does not exceed Lm1000, and is aggravated by 'means', 'time', 'amount', 'person' and 'place' and this in breach of articles 263, 267, 268, 269 of Chapter 9 of the Laws of Malta;

2. Committed the theft of a camera make Konika, to the detriment of Jurgen Boni which theft exceeds Lm100 but does not exceed Lm1000, and is aggravated by 'means', 'time', 'amount', 'person' and 'place' and this in breach of articles 263, 267, 268, 269 of Chapter 9 of the Laws of Malta;

3. Committed forgery of any authentic and public instrument or of any commercial document or private bank document, by counterfeiting or altering the writing or signature, by feigning any fictitious agreement, disposition, obligation or discharge, or by insertion of any such agreement, disposition, obligation or discharge, in any of the said instruments or documents after the formation thereof, or by the addition to, or alteration of, any clause, declaration or fact which such instruments or documents were intended to contain or prove, to the detriment of Ingrid Zammit, HSBC Bank (Malta) plc., Forestals and Exotique, and this in breach of article 183 of Chapter 9 of the Laws of Malta;

4. Knowingly making use of false acts, writings, instruments or any commercial documents or private bank documents, by counterfeiting or altering the writing or signature, by feigning any fictitious agreement, disposition, obligation or discharge, or by the insertion of such agreement, disposition, obligation or discharge in

any of the said instruments or documents after the formation thereof, or by the addition to, or alteration of, any clause, declaration or fact which such instruments or documents were intended to contain or prove, to the detriment of Ingrid Zammit, HSBC Bank (Malta) plc., Forestals and Exotique, and this in breach of article 184 of Chapter 9 of the Laws of Malta;

5. By means of 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, made gain in excess Lm10 but less than Lm100 to the prejudice of Ingrid Zammit, HSBC Bank (Malta) plc., Forestals and Exotique and this in breach of articles 41, 308, 309, 310 of Chapter 9 of the Laws of Malta;

6. Knowingly received or purchased any property which had been stolen, misapplied or obtained by means of any offence, or knowingly took part, in any manner whatsoever, in the sale or disposal of the same, and this in breach of article 334 of Chapter 9 of the Laws of Malta

7. Had in his possession the drug heroin as specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101 of the Laws of Malta, when he was not in possession of an import or an export issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licenses or otherwise authorised to manufacture or supply the mentioned drugs, and when he was not in any other way authorised by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (G.N. 292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs were supplied to him for his personal use, according to medical prescription as provided in the said regulations, and this in breach of Regulation 8, of the Internal Control of Dangerous Drugs (G.N. 292/1939) as subsequently amended by the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta.

8. Found any property mislaid or lost by any other person, failed within three days, to give information thereof to the Executive Police and this in breach of article 340 (C) of Chapter 9 of the Laws of Malta.

Having seen the order of the attorney general in terms of article 22 Chapter 101 of the Laws of Malta for the accused to be brought before this Court;

Having seen the consent of the attorney general in terms of article 370(4) chapter 9 of the Laws of Malta for this case to be tried by summary proceedings;

Having seen that the accused registered his no objection for this case to be tried by summary proceedings;

Having heard the plea of guilt;

Finds the accused guilty as charged.

Having seen articles 263, 267, 268, 269, 277-281, 183, 184, 41, 308, 309, 310, 334, 340(c) of Chapter 9 and GN 292/1939, 4 and 6 and Section IV of Chapter 101 of the laws of Malta;

Having noted that the accused collaborated fully with the police and that all stolen property had been returned to their owners;

Having noted that the accused also collaborated in terms of article 29 of chapter 101;

Condemns the accused to a term of effective imprisonment of one week from today and to a further two years which shall not elapse unless the accused commit any other offence punishable with imprisonment within a period of two years from today in terms of art 28A chapter 9 of the Laws of Malta;

Informal Copy of Judgement

The Court also orders the destruction of the exhibited heroin and appoints Mr. Mario Mifsud for such purpose.

The Court explained the obligations of the accused arising out of this judgement.

< Final Judgement >

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