



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

**MAGISTRATE DR.
LAURENCE QUINTANO**

Sitting of the 28 th October, 2005

Number. 970/2005

**The Police
Insp Daniel Zammit
vs
Jimsher Abdaladze
Bela Babunashviti**

The Court, having seen the charges against Jimsher Abdaladze, son of Dzumberi and Dalila, born in Georgia on the 3 July 1959, holder of Republic of Georgia ID Card No. 60002010823 and residing in Malta at Helena Flats, Flat 1 Triq il-Prinjolata Ta' Xbiex

And against Bela Babunashviti, daughter of George and Dagmara, born in Georgia on the 12 January 1959, holder of Republic of Georgia Passport No. 1125690 and residing in Malta at Helena Flats, Flat 1 Triq il-Prinjolata Ta' Xbiex.

- 1. Being accused that during the months of September and October 2005 committed several acts, even if at different times, which acts were committed in pursuance of the same design**
- 2. Also that during the months of September and October 2005, they stole from Miss Selfridge, Plaza Comple, Bisazza Street Sliema, items worth more than one hundred Maltese Liri (LM100) to the detriment of the directors and owners of said shop;**
- 3. Also that during the months of September and October 2005 they stole from Promod, Plaza Complex, Bisazza Street Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;**
- 4. Also that during the months of September and October 2005 they stole from Marks and Spencer, The Strand, Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;**
- 5. Also that during the months of September and October 2005 they stole from Memory Lane, The Strand Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;**
- 6. Also that during the months of September and October 2005 they stole from Morgan, Bisazza Street, Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;**
- 7. Also that during the months of September and October 2005 they stole from Next, Bisazza Street Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;**

8. Also that during the months of September and October 2005 they stole from BHS The Strand, Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;

9. Also that during the months of September and October 2005 they stole from Square Deal, Manuel Dimech Street, Sliema, items worth more than one hundred Maltese Liri (Lm100) to the detriment of the directors and owners of said shop;

10. Also that during the months of September and October 2005 they, in Malta, knowingly received or purchased any property exceeding LM100 in value, which has been stolen, misapplied or obtained by means of any offence, whether committed in Malta or abroad, or knowingly took part in any manner whatsoever, in the sale or disposal of the same property.

The Court, having noted that charge number 10 is an alternative charge to the other nine;

Having seen the guilty plea filed by the defendants in their very first appearance before the Court to the nine other charges. Having noted that both defendants confirmed the guilty plea after a reasonable time for reflection was given to them. Once a guilty plea has been filed, then the charges against the accused, 1 – 9, have been proved in accordance with the Law.

The Court notes that the accused have returned all the stolen goods.

The Court after reading Sections, 18, 28A, 31(vii), (xi), (xii), 261(c), 267 and 279, all of Chapter 9, finds the accused guilty of all the charges from one to nine, but is finding the accused not guilty of charge number 10.

Informal Copy of Judgement

As to the penalty, the Court, having taken into consideration the early guilty plea filed by the accused, and the fact that they have returned all the stolen goods, is condemning each of them to eighteen (18) months imprisonment suspended for three (3) years from today. The Court explained the applications of Section 28A of Chapter 9 to the accused.

< Final Judgement >

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