



**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.
MICHAEL MALLIA**

Seduta tas-17 ta' Dicembru, 2006

Numru. 1315/2006

**The Police
(Inspector Paul Bond)**

vs

Ivan Shit

Today: 17th December, 2006

The Court,

Saw the charges issued by the Police against Ivan Shit son of Vasia and Svetlana nee' Gurovlova, born in Russia on the 16th February 1983 and residing at 'Fungo', Flat 6, Triq il-Gifen, St. Paul's Bay, holder of identity card number 37479(A) was accused with having:

On the 16th December 2006, between 3.00am and 4.00 am, whilst at St. Paul's Bay, with intent to committ the theft of vehicles bearing number IAM 569 and TFD 816, manifested such intent by overt acts which

followed by a commencement of the execution of the crime, tried to force open the doors of the said vehicles, which crime was not completed in consequence of some accidental cause independent of his will, to the detriment of Geoffrey Decelis and Anthony Attard respectively.

Moreover, for having on the same date, time and place, resisted by violence or active force not amounting to public violence, the arrest by PC 1403 A. Spiteri and PC 60 J. Grima, who were lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority.

Furthermore, for having on the same date, time and place, caused wilful damages on vehicle number IBI 895 make Chevrolet, the estimation of which damages exceed the sum of Lm50 but less than Lm500 to the detriment of Angele Ciscaldi of Mosta; and for having disturbed the public good order and peace by fighting, shouting or in any other manner.

The Court having seen the charges;

On the admission of guilt on the part of the accused;

On the basis of this declaration and having seen Articles 184, 188, 189, 308, 183 111(2)(a) of Chapter 9 and Article 14(2)(c) of Chapter 258 of The Laws of Malta.

Finds accused to be guilty as charged of on the 16th December 2006, between 3.00am and 4.00 am, whilst at St. Paul's Bay, with intent to commit the theft of vehicles bearing number IAM 569 and TFD 816, manifested such intent by overt acts which followed by a commencement of the execution of the crime, tried to force open the doors of the said vehicles, which crime was not completed in consequence of some accidental cause independent of his will, to the detriment of Geoffrey Decelis and Anthony Attard

respectively; moreover, for having on the same date, time and place, resisted by violence or active force not amounting to public violence, the arrest by PC 1403 A. Spiteri and PC 60 J. Grima, who were lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority; furthermore, for having on the same date, time and place, caused wilful damages on vehicle number IBI 895 make Chevrolet, the estimation of which damages exceed the sum of Lm50 but less than Lm500 to the detriment of Angele Ciscaldi of Mosta; and for having disturbed the public good order and peace by fighting, shouting or in any other manner.

Condemns accused to a prison term of six (6) months which term, after having seen Art. 28A of Chapter 9 of the Laws of Malta is to be suspended for two years.

The Court also orders the accused to refund the expenses involved in the appointment and services of the interperitor and to pay the sum of eighty Malta liri (Lm80) to the injured party Angele Ciscaldi of Mosta.

The Court, also orders that these acts together with a copy of this judgement be sent to the Attorney General in terms of Art. 401(3) of Chapter 9, above mentioned.

< Sentenza Finali >

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