



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

**MAGISTRATE DR.  
AUDREY DEMICOLI**

Sitting of the 14 th February, 2008

Number 124/2008

**The Police  
(Inspector Trevor Micallef)  
(Inspector Martin Sammut)**

**Vs**

**Constantin Calin  
Alin-Dan Ciocan  
Liviu Petrut Dumitru**

The Court;

Having seen the accused Constantin Calin son of Ion and Floarea, born on 27 May, 1988, Romania, residing at Stangrove Court, Block 13 A, Flat 3 A, Triq il-Kattidral, Sliema and holder of Romanian passport number 13555825 and Alin-Dan Ciocan, son of Petrica and

Nicolita, born on 18 June 1987, Romania, residing at Stangrove Court, Block 13 A, Flat 3 A, Triq il-Kattidral, Sliema and holder of Romanian passport number 12565640 and Liviu Petrut Dumitru, son of Julian and Connelia, born on 3 January, 1985, Romania, residing at Stangrove Court, Block 13 A, Flat 3 A, Triq il-Kattidral, Sliema and holder of Romanian passport number 08997664 were arraigned before it charged with;

Having on these islands on the 13th February, 2008 at about three in the morning (3.00 hrs) in St. Julians;-

1. With intent to commit a crime, manifested such intent by overt acts which were followed by a commencement of the execution of the crime by attempting to commit theft from the outlet styled 'Paranga Restaurant' to the detriment of Kevin Decesare, which theft if committed would have been aggravated by 'means', 'time' and 'value', which crime was not completed in consequence of some accidental cause independent of their will;

2. Voluntarily caused spoil, damage or injury to or upon movable or immovable property which damage exceeds Lm 50 but less than 116.47 € (Lm 50) but less than 1164.70€ (Lm 500), to the detriment of Kevin Decesare.

Having seen all the acts of the proceedings including the Attorney General's consent dated 14<sup>th</sup> February 2008 (exhibited at folio 8 of the proceedings) for this case to be treated summarily.

Having heard that all the three accused have no objection to be adjudicated by this Court.

Having heard all the three accused plead guilty to all the charges brought against them, notwithstanding the fact that the Court warned them of the consequences of their plea and after having afforded to them sufficient time within which to withdraw their guilty plea.

Informal Copy of Judgement

Having heard the admission of the accused to all the charges brought against them the Court has no alternative but to find them guilty of all the said charges.

With regards to punishment the Court took in consideration the fact that all of the three accused have a clean criminal record and the fact that they submitted a guilty plea at such an early stage of the proceedings.

The Court after having seen Sections 261, 263, 267, 270 and 325 of Chapter 9 of the Laws of Malta declares all the three accused as guilty of the charges brought against them and after having seen Section 22 of Chapter 446 conditionally discharges them subject to the condition that they do not commit another offence of a voluntary nature for a period of two (2) years from today.

**< Final Judgement >**

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