



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

**MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA**

Sitting of the 18 th October, 2008

Number 1005/2008

**The Police
Inspector Bernard C. Spiteri
v**

YANIS YARVEL

The Court,

Having seen that the accused **YANIS YARVEL** aged 20 years, son of an unknown father and Nina nee Yarvel, born in Moscow on the 9th August 1982 and residing at 134, Rokna Hotel, Paceville, St. Julians, was arraigned before her and charged with having in these Islands of Malta on the 18th October 2008 at around 00.10am in St. George's Road, Paceville and in the vicinity:

1. Without a lawful order from the competent authorities, and saving the cases where the law

authorizes private individuals to apprehend offenders, arrested, detained or confined WPS 110 Maria Scicluna against her will;

2. For having disobeyed the lawful order of WPS 110 Maria Scicluna, a person entrusted with a public service or hindered or obstructed such person in the exercise of her duties or duly interfered with the exercise of such duties, either by preventing other person from doing what she is lawfully enjoined or allowed to do, or frustrating or undoing what she has been lawfully done by other persons or in any other manner, whatsoever, in breach of section 338(ee) of Chapter 9 of the Laws of Malta.

The Court saw all the documents exhibited in the acts of proceedings particularly the statement released by the accused on the 18th September 2008 as Doc. CSH.

Having heard Maria Frakova testify today.

Having heard all the accused plead guilty to the charges brought forward against him during the sitting of the 18th October 2008 when the examination of the accused was duly held as directed in section 370(4), 390(1) and 392 of the Laws of Malta.

Having heard the accused apologize for the incident.

The Court explained to the accused the consequences of his plea of guilt and after having given the accused sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea of guilt.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges as brought forward against him.

Having heard the oral submissions brought forward by both parties.

The Court having seen the relative sections at law in particular Sections 338(ee) and 86 of Chapter 9 of the Laws of Malta decides to find the accused YANIS YARVEL guilty of the charges brought against him by the prosecution and decides to discharge him subject to the condition that he commits no offence for a period of six (6) months from today in terms of section 22(1) of Chapter 446 of the Laws of Malta.

The Court also orders that all the acts of these proceedings together with a copy of this judgment be sent to the Attorney General within three days in terms of Section 401(3) of Chapter 9 of the Laws of Malta.

< Final Judgement >

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