



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

**MAGISTRATE DR.
ANTONIO MICALLEF TRIGONA**

Sitting of the 21 st July, 2010

Number 740/2010

The Police
(Inspector Ian Joseph Abdilla)

vs

Edgars Kullis
Edgars Zobnevs
Vadimas Gruzdzevicius

The Court,

Having seen the charges brought against the accused Edgars Kullis of Latvian Passport bearing number LV3350891, Edgars Zobnevs holder of Latvian Passport bearing number LV3494089, and Vadimas Gruzdzevicius holder of Lithuanian Identity Card bearing number 10275788 and charged with having:

A. on these Islands, on the 20th July 2010 and in the preceding days and weeks, in various parts of Malta and

outside Malta, by means of several acts committed by the accused, even if at different times, which acts constitute violations of the same provisions of the law;

1. promoted, constituted, organized or financed an organisation of two or more persons with a view to commit criminal offences liable to the punishment of imprisonment for a term of four years or more (which offences include fraud and other crimes);

2. made part or belonged to an organisation referred to in Sub Article (1) of Article 83A of Chapter 9 of the Laws of Malta;

B. furthermore, the accused are charged with having, on these Islands, on the 20th July 2010 and in the preceding days and weeks, in Malta, by means of several acts committed by the accused, even if at different times, which acts constitute violations of the same provisions of the law;

3. by means of any 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, or to create the expectation or apprehension of any chimerical event, made a gain of more than two thousand, three hundred and twenty nine Euro and thirty seven cents (€2,329.37) to the detriment of HSBC Bank Malta plc. and Bank of Valletta Limited;

4. by means of any 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, or to create the expectation or apprehension of any chimerical event, made a gain of more than two thousand, three hundred and twenty nine Euro and thirty seven cents (€2,329.37) to the detriment of Air Malta Company Limited;

5. knowingly made use of any of the false acts, writings, instruments or documents mentioned in Article 184 of Chapter 9 of the Laws of Malta;

6. committed any other kind of forgery, or knowingly made use of any other forged document;

The Court requested to apply 'mutatis mutandis' the provisions of Article 5 of the Money Laundering Act, Chapter 373 of the Laws of Malta, as per Section 23A (2) of Chapter 9 of the Laws of Malta.

The Court also requested that in case of a finding of guilt of the accused, apart from inflicting the punishment prescribed at Law, also orders the forfeiture of all the objects exhibited in these proceedings.

The Court further requested that, in pronouncing judgment or in any subsequent order, sentence the person/s convicted, jointly or severally, to the payment, wholly or in part, to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

Having heard all three accused plead guilty to the charges brought against them on which plea they insisted even after the Court gave them time to reconsider.

Having seen all the records and documents.

Considers:

That from the statements voluntarily released by each of the accused which were taken in conformity to law, it transpires that the three accused while in Malta were in possession of counterfeit credit cards which they made use of and thereby defrauded third parties.

Informal Copy of Judgement

As for the charges proffered against them each of the accused entered a voluntary and unconditional guilty plea on which they insisted even after the Court gave them time to reconsider.

The Court consequently declares them guilty as per charge sheet drawn up against them inclusive of the first two charges, dealt with under Article 83A(1)(2) of the Criminal Code.

Therefore, after having seen Article 18, 83A(1)(2)(5), 308, 309, 310(1), 184, 189, 17, 31 of Chapter 9, condemns each one of the accused to imprisonment for 18 months.

To all intents and purposes, on request by the prosecution, having seen Article 23A of Chapter 9 orders the freezing of the accused's property in terms of Article 5 of Chapter 373.

< Final Judgement >

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