



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

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

Sitting of the 3rd September, 2010

Number. 863/2010

**The Police
Inspector Joseph Mercieca and
Inspector Jesmond Micallef
V**

ALEKSEI KOSTIN

Sitting held today, 3rd September, 2010.

The Court

Having seen that the accused **ALEKSEI KOSTIN**, twenty six (26) years old, born in Estonia, on the 8th June 1984, son of Sergei and Elina Kostin, holder of Estonian passport number K4226573 and Estonian Identity Card bearing number A1363728, was arraigned before her accused that:

a. On the 14th August 2010, at about a quarter past one in the afternoon, from a jewellery shop,

styled as “Tales of the Silent City” in Triq Villegaignon, Imdina, committed theft of jewellery, which theft is aggravated by amount exceeding two thousand three hundred and twenty nine Euro and thirty seven cents (€2329.37) to the detriment of The Gold Market Ltd., and/or other person/s and/or entities;

b. On the 17th August 2010, at about a quarter past eleven in the morning, from the Sterling Jewellery in Triq it-Torri, Sliema committed theft of jewellery which theft is aggravated by means and by amount exceeding two thousand three hundred and twenty nine Euros and thirty seven cents (€2329.37) to the detriment of Sterling Holdings Ltd. and/or other person/s and/or entities;

c. On the 17th August in Sliema, and at Police Headquarters in Floriana he refused to give, or untruthfully gave to any public officer or any other person entrusted with a public service in the actual exercise of his duties, his name, surname, address and other particulars.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution, that is the statement given by the accused on the seventeenth August 2010 as well as correspondence from foreign police departments regarding the identity of the accused, exhibited by Inspector Mario Cuschieri.

Having heard the witnesses brought forward by the Prosecution, namely Rick Harper and Darren Gordon, both United Kingdom citizens.

Having heard the accused declare that he understood the charges brought forward against him by the prosecution.

Having also heard the accused plead guilty to the charges brought forward against him.

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 such plea of guilt, had no alternative but to register such plea.

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 brought forward against him.

The Court considered the following in lieu of punishment:-

The Prosecution informed the Court that the 'res furtiva' with regards to the theft from Sterling Jewellers was returned, except for one gold ring valued at two hundred and eighty Euros (€280), whilst the "res furtiva" that was taken from the shop "Tales of the Silent City" was not retrieved.

Consequently after having seen the relevant Sections at Law in particular Sections 261 (b) (c), 263, 267, 278 (2), 279 and 280 of the Laws of Malta, decides to find the accused ALEKSEI KOSTIN guilty of the charges brought forward against him by the Prosecution and condemns him to a period of two (2) years effective imprisonment.

The court orders that a copy of this judgment and a copy of the proceedings are sent to the Attorney General in the time frame established by law, Section 401(3) of Chapter 9 of the Laws of Malta.

< Final Judgement >

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