



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

**MAGISTRATE DR.
JACQUELINE PADOVANI**

Sitting of the 19th July, 2010

Number 727/2010

**POLICE
INSPECTOR NEZREN GRIXTI
VS
IVELINA PETKOVA**

The Court,

Having seen the charges brought against the accused Ivelina Petkova, 29 years of age, daughter of Constantin Ivanov Petkov and Rositsa Georgeva, born on the 21st July 1980 in Bulgaria, Nationality Italian and holder of Italian Passport number G531264 and of no fixed address.

And charged on having on the 18th July 2010 at around 02.45a.m. in Qawra with intent to commit a crime manifested such intent by overt acts which are followed by

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a commencement of the execution of the crime which crime was not completed in consequence of some accidental cause independent of the will of the offender attempted to cause a grievous bodily harm on the person of WPC 301 Loren Vella and this in terms of Sections 41,214, 216(1)(a) and 222(1)(c) of Chapter 9 of the Laws of Malta;

And also charged on having more over on the same date, place, time and circumstances caused injuries of slight nature on the person of WPC 301 Loren Vella as certified by Dr. Ray Borg M.D. of the Mosta Health Centre and this in terms of Sections 221 and 222 of Chapter 9 of the Laws of Malta;

And also charged further more on having on the same date, place, time and circumstances you have assaulted or resisted by violence or active force not amounting to public violence, PS 914 Ivan Mifsud, PC 1093 James Cardona and WPC 301 Loren Vella, persons who are lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority and this in terms of Section 96 of Chapter 9 of the Laws of Malta;

And also charged further more on having on the same date, place, time and circumstances you have refused to give, or truthfully gave to any public officer or any other person entrusted with a public service in the actual exercise of his duties, her name, surname, address and other particulars and this in terms of Section 338(g) of Chapter 9 of the Laws of Malta;

And also charged further more on having on the same date, place, time and circumstances at night time, she disturbed the repose of the inhabitants by rowdiness or bawling, or in any other manner and this in terms of Section 338(m) of Chapter 9 of the Laws of Malta;

And also charged further more on having on the same date, place, time and circumstances even though in a state of intoxication, she publicly uttered any obscene or indecent words, or made obscene acts or gestures, or in any other manner not otherwise provided for in this Code, offends against public morality, propriety or decency and this in terms of Section 338(bb) of Chapter 9 of the Laws of Malta;

And lastly also charged further more on having on the same date, place, time and circumstances in any public place or place open to the public, was found drunk and incapable of taking care of herself and this in terms of Section 338(ff) of Chapter 9 of the Laws of Malta.

Having heard the evidence tendered on oath;

Having seen the record of the proceedings;

Having heard the plea of guilt registered by the accused;

Having heard the confirmation of the plea of guilt, after that the Court accorded a reasonable time for reconsideration;

Having heard the oral submissions.

Deliberates:

On the strength of the registration of a guilty plea by the accused, the Court finds the accused **Ivelina Petkova** guilty as charged and after having seen Articles 41, 214, 216(1)(a), 221, 222(1), 96, 338(g) (m), (bb), (ff) and Article

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28A of Chapter 9 of the Laws of Malta, **condemns the accused to six (6) months imprisonment suspended for two (2) years.**

The Court explained the consequences of a suspended sentence to the accused in a manner to ensure that she fully understood the repercussions thereof.

This punishment was awarded after the Court took into consideration the fact that the accused pleaded guilty to the charges brought against her in the early stages of the proceedings, in view of the fact that she has a clean criminal record and therefore is to be treated as a first offender and in view of the fact that she volunteered to take a blood test so as to eliminate all possibilities of any contagious diseases in view of the fact that she bit one of the police officers mentioned in the charges.

< Final Judgement >

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