



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

**MAGISTRATE DR.  
EDWINA GRIMA**

Sitting of the 19<sup>th</sup> August, 2012

Number. 844/2012

**The Police  
(Inspector Mario Haber)**

**vs**

**Hesham Darwish Hassan Darwish, 32 years, Egyptian  
National born on the 2<sup>nd</sup> July 1980 in Cairo, son of  
Darwish and Zaineb, residing at Phoenix Flats,  
Apartment 3, Triq I-Imhallef Debono, Msida, holder of  
identity card 54504A and Egyptian passport  
A02638729**

The Court;

Having seen charge brought against accused who was charged with having on the 18<sup>th</sup> August 2012 in the afternoon, on an Egypt Air flight coming to Malta from Cairo committed theft of money, which theft is aggravated by amount exceeding two hundred and thirty-two Euros, ninety-three cents (232.93) but does not exceed two

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thousand and twenty-nine Euros and thirty-seven cents (€2329.37), to the detriment of Zhang Xiaoning of Chinese nationality.

Having seen documents exhibited;

Having seen the Attorney General's consent dated 28<sup>th</sup> June, 2011, for the case to be dealt summarily by this Court;

Having heard accused admit to the charge brought against him which guilty plea was reaffirmed after the accused was given adequate time to reconsider same.

Having heard submissions regarding the punishment to be inflicted;

Considers;

That in view of the guilty plea filed by the accused the Court finds him guilty as charged.

That in considering the punishment to be inflicted the Court is taking into consideration the early guilty plea filed by the accused, his clean criminal record and the fact that the money stolen has been recovered by the police and will be returned to the injured party.

Consequently the Court after having seen sections 261, 267 and 279(a) of Chapter 9 of the Laws of Malta finds the accused guilty as charged and in view of the above mentioned considerations and after having seen Section 22 of Chapter 446 of the Laws of Malta discharges the accused on condition that he does not commit another crime within a period of three (3) years from today.

The Court is warning the accused of the consequences according to law should he commit another crime during this period of conditional discharge.

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The Court orders that a copy of the sentence together with the acts of the proceedings be forwarded to the Attorney General in time as laid down by law.

**< Final Judgement >**

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