

Kopja Informali ta' Sentenza



**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.
DOREEN CLARKE**

Seduta ta' l-1 ta' Jannar, 2013

Numru. 2/2013

**Police
(Inspector Elton Taliana)**

vs

Stephen Osei Boateng

Today, the 1st of January, 2013

The Court,

Having seen the charges brought against Stephen Osei Boateng of 29 years of age, born in Togo, on the 13th March, 1985, son of Stephen Tewiah and Duruye nee' Ama and resides at 2, Fabrizio Bartolo Street, Mosta and holder of identity card number 44884(A).

Charged with having in December, 2012 and in the previous months in various places around the Maltese Islands:

1. Misapplied, converted to his own benefit or to benefit of any other person, anything which had been entrusted or delivered to him under a title which implies an obligation to return such thing or to make use thereof for a specific purpose, where such offences was committed on things entrusted or delivered to the offender by reason of his profession, trade business, management, office or service or in consequence of a necessary deposit;
2. Making an improper use of any paper signed in blank entrusted to him, has, for the purpose of gain, written thereon anything to the prejudice of another person, or having, for the like purpose, added upon any paper not in blank, entrusted to him, any writing or clause.

Having seen sections 293, 294 and 297 of Chapter 9 of the Laws of Malta.

Having seen that during the hearing held today by this Court sitting as a Court of Criminal Inquiry, the defendant admitted the charges brought against him and that he confirmed this admission of guilt even after having been given sufficient time to reconsider his plea.

Having seen the documents exhibited by the prosecuting officer.

Having heard the submissions of the parties regarding the penalty to be meted out.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proved.

With regards the penalty to be meted out, the Court took into the consideration the nature of the offences of which defendant is being found guilty, his cooperation with the police, his admission at the earliest stage of the proceedings, and his clean conviction sheet, as well as

Kopja Informali ta' Sentenza

the interests of the injured party which are mainly being repaid the amount misappropriated.

Wherefore the Court, after having seen sections 293, 294, 297 and 310(1)(a) of Chapter 9 of the Laws of Malta, on his admission finds defendant guilty of the charges brought against him and condemns him to two (2) years imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of four (4) years. Furthermore, and by application of section 28H of the same Chapter 9 orders defendant to pay to the injured party the sum of eleven thousand eight hundred Euro (€11,800) which payment is to be effected in four months time.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the period of four years and/or should he fail to effect payment as ordered.

< Sentenza Finali >

-----TMIEM-----