



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 10 th January, 2013

Number. 1089/2012

**The Police
(Inspector Tony Cachia)
(Inspector Kevin Pulis)**

vs

PILLAI SIVASANKARA

The Court,

Seen the charges brought against Pillai Sivansankara of 43 years, son of Kunjan Pillai and Parukutty Amma born in Millikunam India on the 20th May 1969, resident at 16, Rue D'Argens, Msida hoder of ID card no: 41303A.

Was charged;

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With having on the 16th October 2012 at about 11:30am from residence 13 Triq id-Duluri Zejtun committed theft of a gold ring from the person of Agostino Abela of 79 years which theft is aggravated by value which exceeds the sum of 2329.37 Euros and by place, and

Same was also charged with having on the same date, time, locality and circumstances with the intent to commit a crime have manifested such intent by overt acts which were followed by a commencement of the execution of the crime and thus same attempted to steal a wrist watch of type "Rolex" from the person of Agostino Abela which watch exceeds the sum of 2329.37 Euros and

Same was also charged with having on the same date and locality in any public place importuned persons to beg alms;

Same was also charged for having failed to report to the authorized officer the fact that any of the particulars or other information contained in his identity card became incorrect and failed to surrender the incorrect card.

Heard evidence.

Seen the acts of the Case and exhibited documents.

Seen the articles sent by the Attorney General in his Note dated the 7th day of December, 2012 and noted that accused has no objection that his case being dealt with summarily.

Noted that in today's Sitting accused by means of the interpreter appointed by this Court and in the presence of his lawyer confirmed his plea of guilt to all the charges brought against him made in the Sitting held on the 5th December, 2012.

The Court warned accused in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked whether he

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confirms his admission of guilt or not, accused by means of the interpreter appointed by this Court and in the presence of his lawyer confirmed that he is pleading guilty to all the charges brought against him.

Also noted that in today's Sitting Prosecuting Officer Inspector Tony Cachia declared that accused co-operated with the Police in retrieving the stolen object and that he is going to compensate the complainant for the missing gem stone.

Heard submissions on punishment.

Seen Sections 17, 31, 261(c), 261(e), 267, 269, 279(b), 280(1), 281, 41 and 338(x) of Chapter 9 and Sections 9 and 14 of Chapter 258 of the Laws of Malta.

Finds accused Pillai Sivasankara, on admission of guilt, guilty of all the charges brought against him taking into consideration all the circumstances of the Case and having seen Sections 28A and 28B of Chapter 9 of the Laws of Malta condemns accused Pillai Sivasankara to two (2) years imprisonment and orders that this Sentence as regards the punishment of imprisonment shall not take effect unless during the period of four (4) years as from today accused Pillai Sivasankara commits another offence punishable with imprisonment.

Finally the Court is giving accused Pillai Sivasankara the explanation prescribed in sub-section 28A(4) of Chapter 9 of the Laws of Malta.

< Final Judgement >

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