



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
FRANCESCO DEPASQUALE

Sitting of the 13th December, 2011

Number. 1375/2011

The Police

(Inspector Trevor Micallef)

vs.

Nikola Peric

Today the 21st December 2011

The Court,

Having heard the prosecution arraign under arrest **Nikola Peric**, son of Bratislav and Javorka *nee'* Mistic, born on 14th December 1981 in Serbia, holder

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of Serbian Passport bearing number SRB 008782033 currently residing at Wismayer Apts, 6B, Birkirkara Hill, St. Julians;

And charge him with having in these islands on the 13th December 2011 at about two forty five in the morning (02.45a.m) in St. Julians and/or in the vicinity;

1. Committed theft of vehicle make VW, registration No **CAB 163**, which vehicle costs more than €2331.00 to the detriment of Jeffrey Borg, which theft is aggravated by 'amount', by 'nature of the thing stolen', by means and by 'time';
2. Accuse him further with having on the same date, time, place and circumstances drove vehicle make VW, registration No **CAB 163** in a negligent manner, dangerous manner and reckless manner;
3. Accuse him further with having on the same date, time, place and circumstances drove vehicle registration No CAB 163 make VW whilst he was in a drunken state;
4. Accuse him further with having on the same date, time, place and circumstances drove vehicle registration No CAB 163 make VW without a valid driving licence. The prosecution requests that said person be disqualified to obtain any driving licences;
5. Accuse him further with having on the same date, time, place and circumstances through imprudence, negligence or unskilfulness in his trade or profession, or through non-observance or any regulation caused damage, spoil or injury, hence vehicle registration No CAB 163 make VW to the detriment of Jeffrey Borg;

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6. Accuse him further with having on the same date, time, place and circumstances through imprudence, negligence or unskilfulness in his trade or profession, or through non-observance or any regulation caused damage, spoil or injury, hence wall pertaining to residence 177, Triq il-Kbira, St. Julians to the detriment of Francis Vella;
7. Accuse him further with having on the same date, time, place and circumstances assaulted or resisted by violence or active force not amounting to public violence PS 585 Joseph Bayliss a person lawfully charged with a public duty when in the execution of the law or of a lawfully order issued by a competent authority;
8. Accuse him further with having on the date, time, place and circumstances committed slight bodily harm on the persons of PS 585 Joseph Bayliss;
9. Accuse him with having on the same date, time, place and circumstances reviled, threatened or caused bodily harm on PS 585 Joseph Bayliss persons lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty;
10. Accuse him further with having on the same date, time, place and circumstances disobeyed the lawfully orders of any authority or of any person entrusted with a public service, or hindered or obstructed such person in the exercise of his duties or other wise unduly interfered with the exercise of such duties either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner what so ever;

The Court saw all the accusations brought against the accused;

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Heard the early admission of the accused;

Heard the submissions by the prosecution and the defence;

In view of Articles 95,96, 221, 267, 270, 271, 279, 328 & 338 (ee) of Kap 12, 15 (1) and 15 (A) of Kap 65;

In view of his early admission, the court is finding the accused guilty of all the accusations brought against him, and is condemning him to imprisonment for thirteen (13) months suspended for a period of four (4) years from today;

The court is also suspending his driving licence for a period of three (3) months.

< Final Judgement >

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