



MALTA

QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI
MAGISTRAT DR.
DOREEN CLARKE

Seduta tat-12 ta' Jannar, 2015

Numru. 845/2014

The Police
(Inspector Jonathan Ferris)

VS

Marcelin Kamwa
Jean Jacques Tientcheu

Case Number: 845/2014

The Court,

Having seen the charges against

Marcelin Kamwa, 37 years old, son of David Numbri and Anne nee' Gunu, born in Doume, Cameroon on the 28th May 1977, without a fixed address and holder of Cameroon Passport number 1641690; and

Jean Jacques Tientcheu, 40 years old, son of Pierre Pouket and Madeliene nee' Moukam, born in Banka, Cameroon on the 28th December 1973, with no official residence in Malta and with no official documents.

Charged with having:-

On the 7th September 2014, and in the preceding days, conspired with one or more persons in Malta or outside Malta for the purpose of committing crime (the crime of fraud as per Section 308, 309, 310 of Chapter 9 of the Laws of Malta) in Malta, liable to the punishment of imprisonment, not being a crime in Malta under the Press Act.

And also with having on the same date, time and place, been found in possession or had under their control any article for use in the course of or in connection with any fraud.

The Court was requested, in case of guilt, apart from imposing the punishment according to law, to order the forfeiture of all exhibited objects.

The Court was also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed experts.

Having seen the note of the Attorney General in terms of which the acts of the proceedings were transmitted to this Court in order for the defendants to be tried summarily in terms of:

- a) articles 48A, 308, 309 and 310(1)(a) of Chapter 9 of the Laws of Malta;
- b) article 310BA(1) of Chapter 9 of the Laws of Malta; and
- c) articles 17, 31 and 533 of Chapter 9 of the Laws of Malta.

Having seen that the defendants had no objection to the case being so heard.

Having seen that the defendants admitted the charges brought against them and confirmed this admission of guilt even after having been given time to reconsider their plea.

Having seen the acts of the proceedings.

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

Having considered

That defendants admitted the charges brought against them; these are consequently sufficiently proven.

Regarding the penalty to be meted out the Court took into consideration the nature of the offences of which the defendants are being found guilty on the one hand and their admission although at this stage of the proceedings.

Wherefore the Court, after having seen articles 48A, 308, 309, 310(1)(a) and 310BA(1) of Chapter 9 of the Laws of Malta, on their admission finds defendants guilty of the charges brought against them and condemns them to nine (9) months imprisonment. The Court is also ordering the forfeiture of all the items seized from the defendants and exhibited in the acts of the proceedings.

< Sentenza Finali >

-----TMIEM-----