



MALTA

**COURT OF MAGISTRATES (MALTA)**  
**AS A COURT OF CRIMINAL JUDICATURE**  
**MAGISTRATE DR.**  
**IAN FARRUGIA**

Sitting of the 28 th June, 2015

Number. 524/2015

**The Police**

**(Inspector John Spiteri)**

**(Inspector Matthew Spagnol)**

**Vs**

***Omissis***

**Lucian Grecu**

**The Court;**

## Informal Copy of Judgement

Having seen the charges brought against **Omissis** and **Lucian Grecu**, 33 years of age, son of Costica and Nastasia nee' unknown, born in Braila in Romania on the 11th August 1981, without a fixed residence and holder of Romanian Identity card number XR281959 accused with having :

On the 27th June 2015 at about 02:00hrs from the establishment named Havana located in St.George's Road St. Julian's committed the theft of a mobile phone make I Phone 6 costing nine hundred and seventy seven euros (€977.00) which theft is qualified by ammount which exceeds the sum of two hundred and thirty two Euro and ninety four Euro cents (€232.94) but does not exceed the ammount of two thousand three hundred and twenty nine Euro and thirty seven Euro cents (€2,329.37), and time to the detriment of Calvin Paul Sammut and/or other person/s;

Having seen all the documents exhibited in the acts of these proceedings;

Having seen the consent issued by the Attorney General exhibited as document "JS";

Having heard accused plead guilty to the charge brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having heard prosecuting officer on oath;

Having seen the minutes of today's hearing;

Having heard submissions by the prosecution and the defence;

**Considers;**

That in view of the accused's guilty plea to the charge proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, and after examining the statement released by the accused on the 27<sup>th</sup> June 2015, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In the context of punishment or sanction to be meted out to the accused, the Court is taking into consideration the following resulting factors, mainly (1) that the accused cooperated with the police and immediately admitted to the theft of the mobile phone in question during his interrogation, (2) that the accused pleaded guilty to the charge at the earliest opportunity in these proceedings and (3) that the prosecution declared that it managed to retrieve the mobile phone in question.

Theft of mobile phones and other personal belongings has become a phenomenon in the area of St. Julian's and Paceville, especially during very busy hours in clubs. Hundreds of people have been victims of such crimes. The message should be very clear to anybody found guilty of such crimes against innocent people who only intend to go out for a night of fun. And consequently, the punishment must be one which conveys such clear message.

**Therefore, The Court**, having seen Articles 261(c)(f), 267, 270, 279(a), and 280(1) of Chapter 9 of the Laws of Malta, finds and declares offender **Lucian Grecu** guilty of the charge brought against him and condemns him to a term of imprisonment of seven (7) months.

**< Final Judgement >**

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