

**Court of Magistrates (Malta)
As A Court of Criminal Judicature**

Magistrate Dr. Claire L Stafrace Zammit B.A. LL.D.

**The Police
[Inspector Saviour Baldacchino]
[Inspector Gabriel Micallef]**

-vs-

**Atanas Dimitrov
-omissis-**

Case Number: 34/16

Today, the 14th of March, 2016

The Court,

Having seen that the accused Atanas Dimitrov, holder of identity card number 71574(A).

Was charged with having:

1. On the 22nd of January 2016 at around 23:00hrs committed theft of Cash from 'Izibet' at Triq ix- Xatt in Msida which theft is aggravated by violence, means, time and amount which exceeds €2329.37 to the detriment of 'Gaming Operations Limited' or any other entity or person.
2. without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Emanuel Abela, Roderick Baldacchino, and Dean Dempster against the will of the same and that the crime was committed with the object of extorting money or effects, or of compelling any other person to agree to any transfer of property belonging to such person or other;

3. carried, used, acquired or possessed a firearm (or imitation of) at the time of committing a crime against the person (other than involuntary homicide or involuntary bodily harm) or of theft or injury to property)
4. used violence in order to compel another person to do, suffer or omit anything
5. kept in his possession, under his control or carry outside any premises or appurtenances any firearm or ammunition.

Accuse also for having on the 25th December 2015 at around 20:00hrs at

Triq Hal Dghejf Naxxar;

6. committed theft of Cash from 'Izibet' at Hal- Dghejf, Naxxar which theft is aggravated by violence, means, time and amount which exceeds €2329.37 to the detriment of 'Gaming Operations Limited' or any other entity or person.
7. without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Julian Bonello against the will of the same and that the crime was committed with the object of extorting money or effects, or of compelling any other person to agree to any transfer of property belonging to such person or other;
8. carried, used, acquired or possessed a firearm (or imitation of) at the time of committing a crime against the person (other than involuntary homicide or involuntary bodily harm) or of theft or injury to property)
9. used violence in order to compel another person to do, suffer or omit anything
10. kept in his possession, under his control or carry outside any premises or appurtenances any firearm or ammunition.

Accused also for having on the 23th November 2015 at around 21:45hrs

at Triq Hal- Dghejf Naxxar;

11. committed theft of Cash from 'Izibet' at Hal- Dghejf, Naxxar which theft is aggravated by violence, means, time and amount which exceeds €2329.37 to the detriment of 'Gaming Operations Limited' or any other entity or person.
12. without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Justin Aquilina against the will of the same and that the crime was committed with the object of extorting money or effects, or of compelling any other person to agree to any transfer of property belonging to such person or other;
13. carried, used, acquired or possessed a firearm (or imitation of) at the time of committing a crime against the person (other than involuntary homicide or involuntary bodily harm) or of theft or injury to property)
14. used violence in order to compel another person to do, suffer or omit anything
15. kept in his possession, under his control or carry outside any premises or appurtenances any firearm or ammunition.

-omissis-

Upon seeing Articles 42(d), 43, 45, 46, 86, 87(1)(e), 251(1), 261(a)(b)(c)(f), 262(1)(b)(2), 263(b), 267, 275, 277(b), 279(b) and 280(2) of Chapter 9 of the Laws of Malta and Article 5(1) and 55(a) of Chapter 480 of the Laws of Malta; and

Hearing guilty plea by accused which was confirmed after the Court gave him enough time to reconsider such plea, finds accused Atanas Dimitrov guilty of all the charges brought against him and since he has co-operated fully with prosecution and since there was an early guilty plea, condemns him to four (4) years and five (5) months imprisonment. Furthermore and by virtue of Article

533 of Chapter 9 of the Laws of Malta the accused is to pay the amount of one thousand four hundred and twenty three Euro and thirty four cents (€1,423.34) representing the expenses relating to the three inquests presented in these proceedings and this within one (1) year from the release from prison of the accused. In case the accused fails to pay the said amount in the time stipulated, the amount should be converted into prison according to the law. The Court also orders that the vehicle which was formally exhibited be confiscated in favour of the Government of Malta.

The Court orders a copy of the judgment should be communicated to the Registrar of Criminal Courts and Tribunals.

Dr Claire L Stafrace Zammit B.A. LL.D.
Magistrate