

In Chita, organizer of criminal community and its members convicted



The evidence gathered by the investigative authorities of the Investigative Committee of the Russian Federation in the Eastern Command was found to be sufficient by the court to sentence Andrey Yakovlev, the former director of OJSC 88th Central Automobile Repair Plant of the Ministry of Defense of the Russian Federation (88th CARP) and his former deputies Vitaly Loskutnikov and Pavel Morozov.

Yakovlev, Morozov, and Loskutnikov were found guilty of committing offences under Part 4 of Article 160 (misappropriation or embezzlement committed by an organized group at a large scale), Part 2 of Article 201 (abuse of authority which has involved grave consequences), Part 3 of Article 210 (creation of a criminal community and participation in it committed by a person through their official position) of the Criminal Code of Russia; additionally, Yakovlev was found guilty of committing offences under Paragraph B of Part 2 of Article 173.1 (unlawful establishment (creation, reorganization) of a legal entity committed by a group of persons by previous concert), and

Paragraphs A and B of Part 4 of Article 174.1 (legalization of monetary funds or other property acquired by a person as a result of an offence committed by them, committed by an organized group and at a large scale) of the Criminal Code of Russia.

The investigation and the court found that, in 2006-2015, Yakovlev had managed the OJCS 88th CARP activities (before June 2009, FSUE 88th CARP, hereinafter CARP) and those of OJSC 78th Military Plant. For gaining financial and other material profit, in February 2006, he had created a criminal community and controlled it till November 2015.

Yakovlev engaged Morozov, Loskutnikov, chief engineer of CARP Valery Rychkov, chief accountant of CARP Sergey Gulevich, accountant of CARP Olga Filippova, and aide for legal matters of CARP Andrey Filippov, as well as head of Novosibirsk Branch of OJSC 78th Military Plant Denis Stetsurin and individual entrepreneurs Dmitry Burakov and Galina Kovalevskaya, in the community.

To implement their plans, the members of the criminal community had illegally organized five entities and 12 individual entrepreneurships via proxies. Using them, the members of the criminal community had concluded fictitious deals with the enterprise and companies managed by Yakovlev, under which a total of over 77 million rubles had been paid and stolen in February 2016--June 2016, including 63 million rubles which had been subsequently legalized by the members of the criminal community.

Additionally, in June 2008--June 2014, by exceeding their powers, Yakovlev, Morozov, Loskutnikov, and Gulevich had made CARP sign fictitious deals with companies they controlled and in the result they had become the sole purchasers of the factory's products, Guran trucks, which they had been selling and distributing the profit between them--the act that had caused the material damage in the amount of over 53 million rubles to OJSC 88th CARP, OJSC Spetsremont, and the Ministry of Defense of Russia.

According to experts' estimates, the total damage caused by the activities of the criminal community exceeds 130 million rubles.

For compensation of the inflicted damage and for enforcement of the fine, the preliminary investigation arrested the funds and property of the convicts, their relatives, and other persons (due to the fact that the property registered in their names had been actually owned by the convicts or had been purchased on illegally acquired money) for the total amount of over 320 million rubles.

The Chita Garrison Military Court sentenced Yakovlev to 18 years of imprisonment in a strict regime colony and deprivation of his military rank of a retired lieutenant-colonel, disqualification to hold state or municipal offices related to administrative and economic powers for the period of 3 years, and a fine in the amount of 4.3 million rubles.

At the same time, the court also ruled to recover 183 million rubles from Yakovlev to the state instead of the property subject to confiscation and the proceeds from its usage.

The court also ruled in favor of the civil claim of OJSC 88th CARP obliging Yakovlev to compensate for the damage in the amount of 53 million rubles. At the same time, the court ruled to separately present, in a civil proceeding, the claim of OJSC 88th CARP to collect 56 million rubles from Yakovlev, Loskutnikov, and Morozov for the inflicted damage.

Morozov and Loskutnikov were sentenced to 7 and 5 years of suspended imprisonment respectively, a fine in the amount of 700,000 and 500,000 rubles respectively, and disqualification to hold certain state or municipal offices for 2.5 and 2 years respectively.

Additionally, Gulevich, Burakov, Stetsurin, and Kovalevskaya were convicted earlier. The investigation into Rychkov was closed due to his death; the investigation into Andrey Filippov and Olga Filippova was closed due to their effective regret and voluntary disassociation from the criminal community before the initiation of the criminal case against them.

20 September 2018

Page address: <https://en.sledcom.ru/news/item/1389460>