

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT NYANYA- ABUJA**

**THIS WEDNESDAY THE 11<sup>TH</sup> DAY OF DECEMBER, 2024**

**BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI**

**SUIT NO: FCT/HC/GWD/CR/1005/2024**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT**

**AND**

**AYODELE SAMUEL..... DEFENDANT**

**ARRAIGNMENT**

Defendant: present in court

Offence section 321 of the Penal court.

Appearance: Mariam Aminu Ahmed for the Prosecution.

Defendant: Promise NkawachiElendo for the defendant

Prosecution: the matter is slated for arraignment on a charge filed on the 1-12-2024 which has been served on the defendant, we apply that the charge be read to the defendant to enable him take his plea

Court: the charge is read and explained to the defendant, the defendant is called upon to reply to the said charge.

Court: defendant do you understand the said charge?

Defendant yes I do

Defendant are you guilty or not guilty.

Defendant I am guilty

Prosecution: in view of the plea of the defendant, we ask the court to convict the defendant accordingly.

CONVICTION:

‘the defendant upon the guilty plea I will convict him i.e. the defendant based on his plea, hence the defendant is hereby convicted for the offence of cheating by personation the offence punishable under section 321 of the Penal code.

Prosecution: following investigation carried out by the commission Iphone 13 promax and iphone 15 and XEphone, Toyota Corolla grey colour were recovered from the convict

We Apply that the court makes an order for the said items to be confiscated, we further apply that the said item be sold by the EFCC. The money realized be credited to the proceed of crimes account of the federal govt.

Further apply that the money recovered from the defendant having been restituted be paid to the FGN and the defendant be sentenced.

DEFENDANT ALLOCUTUS:

This is my first time and I promise not to do it again and urge the court to temper justice with mercy.

Defence counsel want the court to have mercy on him and the defendant is a first time offender and the defendant being a young boy pray the court to reduce his sentence and the defendant asks the court should give him an option of fine.

SENTENCE:

The defendant is hereby sentenced to 1 year imprisonment or a fine of N150,000 at the same time the items recovered in the course of the investigation which includes Iphone 13 & 15 and the Toyota corolla recovered are hereby confiscated to the

FGN and it's ordered that the said item be sold by the EFCC and proceedsrecovered be paid to the consolidated recovery account of the FGN.

Also the sum of the \$300 recovered from the defendant also forfeited to the FGN same be paid to the FGN.

The copy of the receipt be brought to the court for record purpose.

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**Hon. Justice A. Y. Shafa**