

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT NYANYA- ABUJA

THIS WEDNESDAY THE 11TH DAY OF DECEMBER, 2024

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/1003/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

MICHAEL ODEY ENEJI..... DEFENDANT

ARRAIGNMENT

Defendant: present in court

Offence: cheating by personation section 321 of the Penal code.

Appearance: Mariam Aminu Ahmed for the Prosecution.

Defendant: Promise Omotola T. Ogar for the defendant

Prosecution: the matter is slated for arraignment on a charge filed on the 3-12-2024 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: we urge the court to convict the defendant accordingly.

CONVICTION:

The defendant is hereby convicted based on his plea of guilty for the offence of cheating by personation punishable under section 324 of the penal code.

Prosecution:

Following investigation an iPhone 14 was 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 items be sold by the EFCC. Money realized be paid to the proceeds of crime account of the Federal Government also the court to make an order of the sum of N160, 000 to be restituted from the convict be paid to the proceeds of crime account the FGN through the EFCC. And urge the court to sentence the convict accordingly.

DEFENDANT ALLOCUTUS:

I wish that the court tempers justice with mercy as I have learnt my lesson and promise not to repeat same again.

Defence: the convict is remorseful and a first offender without any criminal record and fervently pray for his leniency in sentence the convict

SENTENCE:

The convict is hereby sentenced to 1 year imprisonment or is to pay a fine of N100, 000 and in addition all the items recovered in the course of investigation is hereby confiscated and forfeited to the FGN i.e. the EFCC. The said item which I ordered be sold, whatever is realized as proceed is to be paid to the proceeds account and paid to the FGN into the consolidated recovery account and the sum of N160, 000 also be confiscated and I order same to be paid to the proceed account of the EFCC to be paid to the FGN Account.

This is my ruling.

.....

Hon. Justice A. Y. Shafa