

IN THE COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT GWAGWALADA-ABUJA

THIS MONDAY, 16TH DAY OF DECEMBER, 2024

BEFORE HIS LORDSHIP:HON JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/989/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

PRINCE VICTOR OKECHUKWU (aka Julio Diaz) DEFENDANT

COURT: Prosecution in Court.

OFFENCE: Cheating by personation. Section 321 and punishable under section 324 of Penal Code Law.

PROS: Mariyam Aminu Ahmed for prosecution EFCC.

DEFENCE: Nnamdi Akunneto for the Defendant.

PROS: This matter is for arraignment, on a Charge dated 22nd November, 2024 and filed on the 3rd December, 2024 has been served on the Defendant. Apply that the charge be read to the Defendant to enable him take his plea. we pray that the Court read the Charge to the Defendant to take his plea.

COURT: The one count Charge is read and explained to the Defendant, the Defendant called upon to reply to the said Charge.

COURT: Defendant, do you understand the said Charge?

DEF.: Yes I do.

COURT: Defendant, are you guilty or not guilty?

DEF.: I am guilty.

PROS: In view of the plea of the Defendant, we urge the Court to convict him.

CONVICTION

In view of the plea of guilty made by the Defendant for the offence of cheating by personation, this Court will accept the guilty plea made by the Defendant and convict the Defendant for the offence of cheating by impersonation. The offence is punishable under section 324 of the Penal Code Law punishable by this Court.

PROS: Following the investigation carried out by the commission, an Iphone 7, was recovered from the convict, we apply to tender the said item in evidence and urge the Court to make an order for the item to be confiscated and further urge the Court to make an order for the said item be sold by the EFCC and the money recovered be paid to the proceeds account of the Federation.

Another order for the Court to make an Order of the sum of \$300 restituted by the convict be paid to proceeds account of the Federation by the EFCC and further urge the Court to sentence the convict accordingly.

ALLOCUTUS

I want the Court to forgive me and promise not to back to the crime I committed and further urge the Court to temper justice with mercy.

DEF. COUNSEL: The Convict is a first time offender and has learnt his lesson and has promised not to go back to the crime again, and we pray the court to temper justice with mercy.

SENTENCE

I have considered the allocutus made by the convict and the Defence Counsel on behalf of the Convict but wish to state that the offence committed deserves the Convict to be sent to the Correctional centre for lesson, but the convict to the

Correctional centre will make him more harden is the reason why this Court will accept the plea of allocutus made by the said Convict.

Hence, the said Convict is sentenced to one years imprisonment or fine of N150, 000. 00. The Iphone 7 recovered from the Convict is hereby confiscated, the EFCC is to auction the phone and the proceeds be paid to the Federal government account, in addition, the sum of \$300 restituted by the Convict is hereby forfeited to the Federal government and the sum be paid to the proceed account of the Federal government through the EFCC.

In addition, the Convict is to enter a bond of good behavior for a period of one year.

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HON. JUSTICE A. Y. SHAFI