

**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/CR/1019/2024**

**BETWEEN:**

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

**AND**

**UDEME BROWN (AKA JOSHAUA)..... DEFENDANT**

**ARRAIGNMENT**

Defendant: present in court

Offence: section 95 of the Penal code.

Appearance: Mariam Aminu Ahmed for the Prosecution.

Defendant: Omotola T. Ogarfor the defendant.

Prosecution: the matter is slated for arraignment, a charge filed on the 6-12-2024 had 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 defendant's plea of guilty, we apply that the court convicts the defendant accordingly.

#### CONVICTION:

The defendant upon the guilty plea is hereby convicted for the offence of attempt to cheat by personation punishable under section 324 of the penal code law.

#### Prosecution:

Following investigation carried out by the EFCC Iphone X was recovered from the convict, sametendered in evidence and we urge the court to make an order for confiscation of the said phone and that the said items be sold by the EFCC and the proceeds be paid to the proceeds account of the Federal government and further urge the court to sentence the convict.

#### DEFENDANT ALLOCUTUS:

I regret my action and have learnt my lessons and i promise not to try it again.

Defence: in sentencing the convict we plead for leniency and he promised never to engage in any crime again and plead the court to temper justice with mercy.

#### SENTENCE:

Based on the conviction of the convict and the plea of allocutus made by the convict and the defence, I wish to state that the act of the convict left much to be desired as the offence of cybercrime has become a menace under our society most especially the young's boys of nowadays for the simple reason to get rich from what they did not sow.

Notwithstanding the plea of mercy by the convict I shall still proceed to sentence the convict.

Hence the convict is hereby sentenced to 6 months imprisonment or he is to pay a fine of N100,000.00 and with an order that the p[hone being the proceed of crime is hereby confiscated and with an order that the said phone be auctioned and proceeds be paid to the FGN Account.

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