

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE GWAGWALADA JUDICIAL DIVISION

HOLDEN AT GWAGWALADA- ABUJA

THIS FRIDAY THE 1ST DAY OF DECEMBER, 2022

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/40/2022

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

AREH IKENNA CHRISTIAN.....DEFENDANT

Court: case for arraignment

Parties present in court i.e. the defendant

Appearance: Maryam Sheriff for the prosecution.

Defence counsel: NyenkeNyenuchua holding brief for Mr. Blessing Omokoro for the defendant.

Prosecution: the matter slated today for arraignment & urge the court to read the charge to the hearing of the defendant.

Court: the charge is read and explained to the defendant. The defendant called upon to reply/respond to the charge. i.e. for the offence punishable under section 320 panel code.

Court: defendant: do you understand the said charge read to your hearing?

Defendant: Yes, I do

Court: Are you guilty or not guilty?

Defendant: I am guilty.

Prosecution: The defendant having pleaded guilty we humbly urge the court to convict and sentence the defendant.

CONVICTION

I am satisfied that the defendant having understood the charge read by the court clerk in English Language to him and admitted the offence, knowing fully the consequence of its admission or guilt, I shall accept the defendant plea of guilt and accordingly convict the defendant for the offence of cheating punishable under section 322 of the penal code law triable by this court.

Court: defendant you have two options before sentence.

1. Whether to adjourn this matter to another date to allow you bring evidence of your good character in such a case you will be remanded.
2. Whether you want to plea to an allocutus.

Defendant I want to plea to an allocutus.

Court: what do you want to tell the court to be lenient with you?

Defendant I want the court to temper justice with mercy it is a past event catching up with me now, that I honestly regretted and now I am a good man and moved on with my life, get married, and have changed some lines and God just blessed me with a child a month ago.

Plead to the court to please have mercy on me so that I can see my daughter growing.

Court: prosecution; has the defendant/convict ever been convicted for any other offence to your knowledge

Prosecution: I don't have record of his conviction, meaning is a first time offender.

SENTENCE

That convict was alleged sometimes in 2022 at Abuja to have fraudulently cheat when he created a social media account, as a specialist on Facebook and WhatsApp with the international Number: +971504720129 misrepresenting himself to be posing as an Italian Engineer who works in the sea upon which

one Anna Bushere delivered the N20,000.00 Euros to maintain his health and working machines under the pretence that he was in love with her.

The convict who admitted the offence & in it plea of allocutus, pleaded to the court to temper justice with mercy, that it is a past event and since move on with his life. He went further to state that he has honestly regretted his action and now a good man that he is now married and have a daughter and therefore urge this court to tempered justice with mercy.

The convict is a first time offender who has no criminal record as stated by the prosecution.

This court having carefully listened to the plea of Allocutus made by the convict, it seems that the convict since the commission of the said offence has really moved on with his life and now a change man.

From the background of his plea I can see that the convict has shown a sign of remorseful meaning that he regretted his action.

But still the rate at which the offence is being perpetrate in this country by the use of Facebook and WhatsApp is too alarming as such the convict cannot go score free despite his plea. But the fact that he is a first time offender this court will give the convict an option of fine, reason being that sending the convict to prison will make him to become hardened, hence the option of give him fine.

In view of the above, the convict is hereby sentence to 6-month imprisonment or to pay a fine of N300,000.00.

In addition, the convict to sign a bond of good behaviour for a period of two years from today being 1-12-2022.

This is my Judgement.

SIGNED

JUDGED

1/12/2022

Paid

Receipt No: Z12554052 dated the 1-12-2022.

