

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GWAGWALADA- ABUJA

THIS THURSDAY THE 14TH DAY OF DECEMBER, 2023

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/110/2023

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

ADEJIMI GIDEON AYOBAMI..... DEFENDENT

Court: this matter is for arraignment.

Defence present in court.

Offence: Cheat by personation punishable under such section 324 of the penal code.

Appearance: R. U. Adagbafor prosecution EFCC the defendant speaks English Language.

Defendant: M. B. Abdulazeez for the defendant.

Prosecution: today's matter is slated for arraignment. We filed a one count charge dated the 23/11/2023 and filed on the 5/12/2023, we pray the court for the charge to be read to the defendant so as to enable him take his plea.

Defendant: do you have any objection?

Court: the charge is read and explained to the defendant. The defendant is called upon to reply to the one count charge.

Court: defendant do you understand the charge.

Defendant yes

Court: defendant are you guilty or not guilty?

Defendant I am guilty

Prosecution: in view of the defendant's plea of guilt, we pray the court to convict the defendant based on his plea of guilt accordingly.

Before the court is a plea bargain duly signed by the defendant & his counsel, the prosecution the investigation and the investigation officer on the 22/11/2023 dated the 29/11/2023 filed on the 5/12/2023 urge the court to consider the term of the plea bargain agreement in sentencing the defendant in the course of investigation an iPhone was recovered and the sum of \$18, which is the proceed of crime of the defendant, pray that that sum recorded should also be forfeited to the FGN through the Office of the EFCC and the iPhone 13 auctioned and the proceeds remitted into the FGN Proceeds fund through the office of the EFCC.

Court: defendant confirm if this agreement is what you signed

Defendant: that is the agreement I did and signed same voluntarily.

CONVICTION

I am satisfied that the defendant having understood the content of the one count read and explain to him and admitted same by pleading guilty I shall adopt the plea made by the defendant and convict the defendant for the offence punishable under section 324 of the penal code.

Allocutus: that the court should have mercy with me I have learned my lesson and the court to show mercy on me and my mother. I just finished my SS3 this year.

Defence: in addition, begged the court to have mercy on this young convict and the mother who is being the provider of the defendant. That the defendant has been in custody for about 2 months now, that the defendant has taken time and has thought about his trouble and urged the court to temper justice with mercy and grant the defendant a second chance to life urge the court to invoke the power and discretion of section 270(11) (b) of the ACJA 2015 in giving a lesser option of fine.

Prosecution: do you have any record of previous conviction by the defendant to your knowledge.

SENTENCE

The defendant was convicted of the offence of cheating contrary to section 320 and punishable under section 33 of the Prnal Code Act.

The convict one "ADEJIMI Gideon Ayobami" sometimes in September, 2023 in Abuja cheated one Stephanie Derie, Eddie Valencia and Mariana Carlos of

the sum of Eighteen thousand Phillipines pesos equivalent to One Hundred and Eighty Thousand Naira.

The defendant then pleaded guilty to the one count charge, the prosecution informed the court of a plea bargain agreement which all parties had signed dated the 29th day of November, 2023 and filed if the 3rd December, 2024.

In line with the plea bargain agreement, I heard y sentence the convict thus;

i. The sum of One hundred and Eighty thousand naira being proceeds of crime received from the convict is to be forfeited to the Federal Government.

ii. The defendant's iPhone 13 shall be forfeited to the Federal Republic of Nigeria.

iii. The convict is sentenced to one year imprisonment or is to pay a fine of #500, 000 (Five hundred thousand Naira).

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

Fine paid on the 22nd December, 2023. R/N G003230617:#500,000. Five Hundred Thousand Naira only.