

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GWAGWALADA- ABUJA

THIS WEDNESDAY THE 6TH DAY OF DECEMBER, 2023

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/045/2023

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

ADEOSUN EZEKIEL OKIKIOLA..... DEFENDANT

COURT: this matter is for arraignment

Offence: personation section 321 of the penal code punishable under section 324 of the penal code.

Defendant: present court

Appearance: Maryam Aminu Ahmed EFCC for prosecution.

Prosecution: the matter is slated for arraignment. The defendant counsel called that he is before another court and she is not aware of the date and hence we want a date.

This matter is adjourned to 1-12-2023 for arraignment.

The defendant be remanded at EFCC custody.

SIGNED

JUDGE

29/11/2023

RESUMED

1-12-2023

COURT: the matter is for arraignment

Defendant: present court

Appearance: Maryam Aminu Ahmed EFCC for prosecution.

Prosecution: the matter is slated for arraignment, a charge dated 20/09/2023 has been served on the defendant.

Apply that the charge be read to the defendant to enable him take it's plea.

Court: the one court charge is read and explained to the defendant. the defendant called upon to reply to the said charge.

Court defendant do you understand the charge?

Defendant yes I did

Court: defendant are you guilty or not guilty?

Defendant I am guilty.

Prosecution:

In view of the plea of the defendant urge the court to convict him accordingly.

CONVICTION

I am satisfied that the Defendant before the court understand the content of the charge read and explained to him in English language and pleaded guilty knowing fully well the consequently of its plea, I will accept the defendant plea of guilty and will proceed to convict the defendant for the offence punishable under section 324 of the penal code triable by this court.

Defendant: I would like to plead for mercy.

Review the fact of the case.

Following the investigation carried out by the EFCC we have recovered 1 I phone 13 promax and HP laptop apply to tender same.

The defendant has also restituted the sum of \$980 Dollars to the FGN apply that the said sum be paid to proceed account of the Federation.

Further applied that the items recovered be forfeited to the FGN and urge the court to sentence the convict accordingly.

Allocutus:

I want the court to have mercy on me I am a student of Adegbenro ICT POLYTECHNIC Ogun State 100 level.

Defence: the defendant have pleaded for mercy and move the court to temper justice with mercy. The convict is a student and till have bright feature.

That the convict is a first time offender we will be must grateful if the court can give him an option of fine haven't recover all. The convict has been in EFCC custody for two months.

Court: prosecution is there any previous record of conviction of the defendant to your knowledge.

Prosecution: known to my knowledge

SENTENCE

The defendant Adeosun Ezekiel (AKA God Sent Young) was alleged sometimes in October, 2023 at Abuja within the jurisdiction of this Honourable court with intent to defraud, falsely represented himself as God Sent Young and sent electronic message to Michelle Berry through access Bank Account Number 1451936032. The defendant pleaded guilty and was convicted accordingly.

In it's plea of mercy pleaded to the court to have mercy on him that he is a student of 100 student of Adeghenu ICT Polytecnic

The defence counsel one Bolale A. Egbewuni of mercy by the convict urge the court to temper justice with mercy and that the convict is a first time offender and will be most grateful if the court can give the convict an option of fine

I have carefully listen3ed to the allocutus made by the convict that of the defence to the convict, and have this to say:

Cybercrime or most people are already aware refer to criminal acts such as identity theft and bank frauds facelifted using the intendent sadly, is often cited as a breeding ground for most of there nefarious practices because of the activities of some of our citizens, committing all manner of crime that give us a bad image globally.

The fraudsters are increasingly taking advantage of the rise in online transaction electronic shopping e-commerce and the electronic messaging system to engage in all manner of crime, despite the effort place by the EFCC, yet the yahoo boys, still clearly through cybercafé promises, transact their business with the owners looking away.

This new crime is denting and drilling holes in the economy of the nation. Apart from the destruction cyber-crime does to the erosion of confidence in genuine Nigerian commercial credibility.

It I to be noted too that the advent of social media has easily spread awareness of cybercrime among students, in Nigeria. This has drastically increased the quest for participation in cybercrime having seen the lavish lifestyle fluent on social media, clubs either social gathering, not knowing the danger behind this wealth. Some youth goes for as withdrawing from school to join the pyramid of cybercrimes. Cybercrime whether yahoo. Yahoo or yahoo plus among student have grievous consequences for the student themselves, the school, their parents and society. Student who are blinded by sudden and unaccepted affluence became deviant and arrogantly disrespect of their schools. Some of them are snops and as such they cannot associate with or live peacefully with their pair group. The impact of adversely on their academic. The effect therefore among the youth s is that they impinge their criminality and that of their parent and guardians. I say no more.

Inview of the forgoing this court view the offence very seriously as such will not accept the plea of mitigation made by the convict and that of the defendant. This is in view to curtail the menace of cybercrime is being committed by our young boys in the university. In view of the forgoing the convict is hereby sentenced as follows:

1. The convict is hereby sentenced to two Years imprisonment or to pay a fine of N300,000.00 (Three Hundred Thousand Naira only)
2. The sum of \$980,000.00 (Nine Hundred Eighty Thousand dollars recovered from the convict is hereby forfeited to the government of Nigeria through the EFCC account to be paid into the cofer of the government.
3. The I phone 13 promax and the HP laptop recovered from the convict is equally forfeited the said item be sold and the proceed realised be paid through the account of the proceed account of the EFCC and paid to the CBN
4. The defendant/ convict to enter a bound to be of good behaviour for 6 months

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Hon. Justice A. Y. Shafa