

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT GWAGWALADA- ABUJA**

**THIS FRIDAY THE 15<sup>TH</sup> DAY OF DECEMBER, 2023**

**BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI**

**SUIT NO: FCT/HC/CR/149/2023**

**BETWEEN:**

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

**AND**

**AKINBIYI NURUDEEN (ALIES DYLAN JOSEPH) .... 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: T. M. Anamezefor prosecution EFCC.

Defendant: TerungwaAnanadefor the defendant.

Prosecution: the matter is slated for arraignment, before the court is a one count charge dated the 8/12/2023 and filed on the 13/12/2023, we apply that the one count charge be read to the defendant as to enable him take his plea.

Court: the one count charge of the offence contrary to section 321 of the penal code law was 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 line with the plea of guilt entered by the defendant apply that the defendant be convicted accordingly.

## CONVICTION

I am satisfied that the Defendant having understood the one count charge read and explained to him and pleads guilty knowing fully well the consequences of the plea, this court will accept the Defendant plead if guilt, and convict the Defendant for the offence punishable under section 324 of the Penal Code Law.

Allocutos:

I am so sorry it was a mistake, I won't do that that again. A student of OwuCommittee School African Church Ogun state, just finished SSIII this year. Defence: the convict is a first time offender and has returned the sum being the proceed of crime. That the convict is a young person and just finished secondary school, pray the court to temper justice with mercy and give him a second chance and the court to consider giving him an option of fine to enable him pursue his future.

Prosecution:

We have a plea bargaining agreement before the court filed on the 13/11/2023, we adopt the terms of the agreement in urging the court to sentence the convict in accordance with the plea bargain agreement.

In the course of investigation two phones, we're recovered. iPhone 11 Pro and Infinix phone where the instruments used for the commission of the offence. The prices of the crime has also been recovered, pray the court to order the item be public auction through the EFCC and the proceed realized to be paid into the FG account.

## SENTENCE

I have carefully listened to the plea of allocutos made by the said convict and the Defence counsel, and from the plea it seems to the court that the convict is still in his youthful age who just finished his SSIII, which faith is yet to be determined.

Though from the allocutos made by the Defence, the convict is a first offender where the counsel told the court to temper justice with mercy and the court to give the convict an option of fine.

I will consider the application made by the prosecution, hence I shall adopt the terms of plea bargaining agreement dated thr 13/12/2023 in sentencing the convict.

Hence the convict is hereby sentenced to one-year imprisonment or an option of fine of #100,000.00 (One Hundred Thousand Naira).

2. The sum of \$200 dollars received is hereby forfeited to the Federal Government through the EFCC. So also the items received. The items are to be auctioned publicly and the proceeds realized paid into the FG Recovery Consolidated Account.  
This is my Judgment

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

Fine paid on the 15/12/2023  
R/N; 12902774  
#200,000 (Two Hundred Thousand Naira) only