

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GWAGWALADA- ABUJA

THIS WEDNESDAY 21ST DAY OF JUNE, 2023

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/GWD/CR/37/2023

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

CHUDE IFYEANYI BOSAH.....DEFENDANT

Court; the matter is up for arraignment.

Defendant is present in court.

Appearance; M. M Gwanni with Maryam sheriff for the Prosecution.

Defence counsel: AfamIlounoh with MR Andy Oguche for the defendant.

Prosecution: the charge has been prepared against the defendant he speaks and understand by him.

Apply that the charge be read to the defendant for him to take his plea.

Defense: we are ready.

Court: Read the charge to the hearing of the defendant.

Court: the charge read and explained to the defendant, the defendant called upon to reply to the said charge in court.

Court: defendant, do you understand the said charge?

Defendant: yes, I do.

Court: is the charge true or false.

Defendant: I am guilty.

Prosecution: consequent upon the plea of the defendant urge the court to convict the defendant according to its plea.

CONVICTION

Upon the charge being read and explained to the defendant, the defendant pleads guilty to the one count charge upon knowing fully well the consequence of his plea. The court will accept the plea of the defendant and consequent conviction of the defendant for the offence punishable under section 322 of the Penal Code Law triable by this court i.e. cheating by personation.

Allocutus by the convict;

Court: proceed

I am very sorry, I have never committed an offence in my life, this was my first attempt, I am sorry for my action. I am very sorry my lord, I am a graduate from Madonna a university and read international relation. I graduated in the year 2020, after my graduation, I finished my NYSC in the year 2022, currently working at IHP Integrated Health performance as a contract staff.

Defendant counsel:

That the Defendant entered a mistake of life because of the age, the defendant has been a good boy and as a matter of fact the mother have been in the hospital when he had the story of the boy. That the father is retired man and cannot afford hospital bills for the mother.

Pleads the court to temper justice with mercy and by giving him option of fine. That he knows for sure that the defendant will change.

That it is the first time of the defendant to be in this kind of situation and he does not know if any other crime has been committed by him. That the defendant has changed his way of life urge the court to temper justice with mercy.

Court: do you have any record of the convict prior conviction

Prosecution: No previous prove of conviction.

That the instrument used in committing the offence be forfeited to the Federal Government.

SENTENCE

The convict sometime between February 2023 and March 2023, in Abuja fraudulently attempted to cheat by impersonation when he pretended to be one Mungo Kitty, An American citizen on twitter and uploaded pornographic pictures under the assumed identity of the same Mungo Kitty.

The convict pleaded guilty to the offense and in pleading allocutus, he was remorseful and apologetic, that he is a graduate of international relations from Madonna university and also working as a contract staff after his NYSC.

The convict even though remorseful and apologetic have a tendency to corrupt the morality of his immediate community and the society at large.

The court having carefully listened to the plea of allocutus made by the convict, and have seen that he is remorseful and ready to change his ways, the court is inclined to give him non-custodial sentence as sending him to prison will only make him hardened.

In view of the foregoing, the convict is hereby sentenced to 1 (one) week of community service. You are required to cut the grasses and sweep the surroundings of the EFCC Headquarters under the supervision of the legal department as for the phone used for the crime, it should be burnt within EFCC premises and under the supervision of the legal department in line with the provision of section 331 of the ACJA (2015).

In addition, the convict should enter a bond of good behavior for 6(six) months

This is the judgment of the court.

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HON JUSTICE A. Y. SHAFI

