

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GWAGWALADA- ABUJA

THIS WEDNESDAY THE 15TH DAY OF DECEMBER, 2023

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFI

SUIT NO: FCT/HC/CR/148/2023

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

OLUWASEUN ABIODUN (AKA MARIA GUILLER).... DEFENDANT

Defendant: present in court

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

Appearance: Maryam Aminu Ahmed EFCC for prosecution.

Defendant: Tarungwa Anande holding the brief of E. O. Clement for the defendant.

Prosecution: the matter is for arraignment on a charge dated 12-12-2023 which has been served on the defendant we apply that the charge be read to the defendant to enable him take his plea

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

Court defendant do you understand the charge?

Defendant yes I understand the charge

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.

Court: acting under the processes of section (112) (8) of the ACJA 2015 I shall accept the plea of guilt and convict the defendant 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.

Prosecution: we apply that in the course of investigation we recovered iPhone 13 from the convict urge the court to order forfeiture of the iPhone 13 to the FGN , and further urge the court that the sum of \$2,000.00 recovered from the convict as proceeds of crime be paid to proceeds account of the Federation.

And the court to sentence the convict accordingly.

Allocutus:

I am very sorry for the offence I committed I was going through some financial challenges when I committed this offence. That since I have been released I have been into a legal business.

I plead to the court to forgive me and i won't go back to the act again.

Defence counsel:

The defendant is a 1st term offender the sum of \$2,000.00 and the defendant is sorry to his crime and pray the court to temper justice with mercy and consider given the defendant an option of fine and to allow the defendant to have a second chance.

SENTENCE

The convict was charged with the offence of cheating contrary to section 321 and punishable under section 324 of the penal code.

The defendant sometimes in October,2023 at Abuja within the Jurisdiction of this Honourable Court with intent to defraud falsely represented himself as Maria Guller, and communicated love to Breda, a resident in Washington D. C. United Sates of America via google chat and obtained the sum of \$2,000 from one David Umboger through Gift Card.

The convict pleaded guilty, to the charge and he was convicted upon the charge being read to him. The convict then pleaded with the court by way of Allocutus that he is ready to change and go into legal business and that he's very sorry and remorseful.

The defendant counsel said further that the convict is remorseful and he has the sum of \$2,000.00 to the Federal Government. He begged the court to temper justice with mercy and emphasized that defendant won't to back into a life of crime.

The position of the law is such that no crime Should go unpunished it is on this note that is hereby sentence the convict thus:

1. The convict is hereby sentenced to one-year imprisonment with an option of fine of N300,000.00.
2. The sum of \$2,000 is to be paid into the Federal Government proceed account through the EFCC.
3. The iPhone 13 is to be forfeited to the Federal Government of Nigeria through the EFCC.

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Hon. Justice A. Y. Shafa