

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

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

**THIS THURSDAY THE 14<sup>TH</sup> DAY OF DECEMBER, 2023**

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

**SUIT NO: FCT/HC/CR/121/2023**

**BETWEEN:**

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

**AND**

**RICHARD ASUQUO ODIONG (AKA CHRIS YOUNG) .... DEFENDENT**

Court: this matter is for arraignment.

Defence present in court.

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

Appearance: R. U. Adagba for prosecution EFCC.

Defendant: M.K. Nwogwu for the defendant.

Prosecution: the matter is slated for arraignment, before the court is a one count charge dated the 7/12/2023 and file on the 7/12/2023, we seek the leave of the court, that the one count charge be read to the defendant as to enable him take his plea.

Defendant: do you have any objection?

Defence: no objection.

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

We filed a plea bargain agreement duly signed on the defendant by the counsel, the prosecution, the investigating officer filed same on the 7/12/2023. In the course of investigation, a Mercedes-Benz C300 with Registration No FSH193CG and a B coin restituted to the victim through the America Embassy and that the Mercedes-Benz C300 and the iPhone 14 pro max be auctioned publicly and the proceeds paid to the FGN through the EFCC (I am a student of Uni Cal 200 Level Business Administration).

### CONVICTION

I am satisfied that the Defendant having understood the content of the charge read and explained to him and admitted same, I shall accept the Defendant plea of guilty. I convict the Defendant for the offence punishable under section 324 of the Penal code law.

### ALLOCUTOS

I am sorry for my action and I promise not to get involved in the crime again. I am 21 years of age from University of Calabar 200 level studying public Administration.

Defence: The Defendant is a first time offender and had never had any prior deal that can be corporative to the EFCC from the date of his Arrest. Pray for leniency that the court temper justice with mercy and grant him an option of fine in line with the plea bargain.

Court: prosecution is there any record of previous convictions to your knowledge?

Prosecution: None to my knowledge.

### SENTENCE

I have carefully listened to the plea of allocutos made by the Defendant and the Defence counsel for the Defendant where the Defendant pleaded for the court that he is sorry for any action and promise not to get involved in any internet crime again. The learned counsel added that the Defendant is a first time offender and had never had any previous record of conviction and corporates with the EFCC from the date of his arrest and pray the court to temper Justice with Mercy and the court to consider given the Defendant /convict an option of fine in line with the plea bargaining agreement.

The prosecuting officer from EFCC urge the court to consider the plea bargaining agreement entered in sentencing the Defendant. I have equally gone

through the plea bargaining agreement and the content therein, even though I am inclined to consider the plea bargain agreement, this court will also look outwards at the rate of which the cybercrime by the use of Facebook and WhatsApp is being perpetrated by our youths, bringing bad image to the country and the society at large. The need had arisen for the parents, and the society and the larger committee to put their heads together to curtail the use of the internet fraud. The only way is for the society to check the reckless lifestyle of our youths in order to put a stop to the shady lifestyle of the young ones which the society is counting on them to be leaders of tomorrow.

I have no doubt, that from now, I presumed the Defendant/convict had learned some reason, having been in EFCC detention for a period of a month and some days.

In view of the forgoing I shall consider the plea of allocutos made by the convict and the plea bargaining agreement in sentencing the convict. The convict is hereby sentenced as follows:

1. To six months imprisonment or an option of fine of ₦400,000 (Four Hundred Thousand Naira) only to be paid to the Federal Government of Nigeria vide EFCC.
2. The iPhone 14pro max mobile phone which is used as the instrument to perpetuate the scam and the Mercedes Benz C300 recovered from the Defendant is hereby forfeited to the Federal Government of Nigeria, with an order that the iPhone 14 pro max and the Mercedes Benz C300 be sold vide Public auction and the proceeds realized paid to the Federal Government of Nigeria vide EFCC recovery account.
3. The Defendant to dispose to an affidavit or undertaking to be of good behaviour for a period of one year.

This is my Judgment.

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