

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

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT GWAGWALADA- ABUJA**

**THIS TUESDAY THE 16<sup>TH</sup> DAY OF JULY, 2024**

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

**SUIT NO: FCT/HC/CR/635/2024**

**BETWEEN:**

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

**AND**

**UCHECHUKWU COLLINS OKEH..... DEFENDANT  
(AKA KIM HANA)**

Court: defendant present in court

Offence section 321 of the penal code

Appearance: S. O. Obile for Prosecution EFCC

Defence: Bobby Kadiri for the Defendant

Prosecution: before the court is a one count charge dated and filed on the 11/6/2023 we apply that the charge be read to the defendant to enable him take his plea.

Court: the 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 said charge

Defendant yes I do

Court: defendant are you guilty or not guilty

Defendant: I am guilty.

Prosecution: in view of the plea by the defendant, we apply that the defendant be convicted accordingly based on his plea.

## CONVICTION

I am satisfied that the defendant having understood the content of the charge read and explained to him and admitted guilty, knowing fully the consequences of his plea, this court will accept the guilty plea made by the defendant and convict the said defendant for the offence of cheating by personation. This offence punishable under section 324 of the penal code law triable by this court.

## ALLOCUTUS

I promise to stop doing the internet fraud and to go back to my work of electrical engineering. That started the cybercrime in September last year. That it was his friend that introduced him to cybercrime. That his friend is in Canada. That he stopped his Education at ND level.

## Defence counsel

Prosecution pleaded that the court should temper justice with mercy. That during the course of investigation he restituted all that he benefitted. That he has been counselled by a counsellor. That the court should show mercy upon the convict so that he can be useful to himself and the society.

Prosecution. In the course of investigation we recover an iPhone 14 Pro and iPhone Xs Max and we pray the court that the court makes an order for forfeiture on these items which are proceeds of the offence to the FGN through the EFCC.

## SENTENCE

The convict before the court was convicted for the offence of cheating by personation the offence punishable under section 314 of the penal code law.

The convict before the court was alleged to have pretended to be Kim Hana a fashion designer in Seoul. South Korea Telegram and in that assumed character obtained the total sum of \$1,767 US Dollar from his victim.

The convict who in the course of allocutus pleaded to the court and promised not to go back to the same crime again and promised to go back to his work on electrical engineering. In addition the learned defence counsel on behalf of the convict pleaded to the court to temper Justice with mercy and that the convict has restituted what he has gained by the commission of the said crime and prayed to the court to show mercy on the convict so that the convict will be useful to himself and to the society.

I have carefully listened to the allocutus made by the convict and that of the counsel on behalf of the convict, I am much disturbed at the rate of crime, regarding cybercrime being purported by young boys of this country we called Nigeria by the act to the convict who is still in his youthful stage, the question is does he deserve the sympathy of this court?

I say no why because the act of the convict has left much to be deserved as the aim of getting rich has landed himself in court. Hence this court will not be in sympathy with the said convict despite the fact that the convict has restituted the amount he gained as that to my mind is not enough.

This court will be very serious in passing on his sentence to serve as an example and deterrence to the young boys on the street who have chosen cybercrime as a get rich quick means. While there are many meaningful jobs to be done.

Hence the convict is hereby sentenced to 2 years imprisonment or a fine of N500,000.00.

In addition the items used being an instrument of crime i.e. the two phones are hereby confiscated and forfeited to the FGN through the office of the EFCC, the sum also forfeited to be paid back to the victim by the EFCC through the embassy of south Korea here in Abuja and a receipt acknowledged receipt be forwarded to this court:

This is my judgement.

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

**Fine paid**

**R/NO. Z13120900**