

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT ZUBA, ABUJA**

**ON TUESDAY THE 11<sup>TH</sup> DAY OF JUNE, 2024**

**BEFORE HIS LORDSHIP: HON. JUSTICE K. N. OGBONNAYA**  
**JUDGE**

**SUIT NO.: FCT/HC/GWD/CR/5/2024**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA        ----    COMPLAINANT**

**AND**

**VINCENT AMEH (AKA KYLIE)        -----    DEFENDANT**

## **BENCH JUDGMENT**

In this case a young Nigerian male by name Vincent Ameh (aka Kylie) was arraigned before this Court a few moments ago on a lone charge in that he used a Facebook Account he opened with an iPhone 14 Pro which was tendered in this Court by the Prosecution Counsel to impersonate and cheat. It is alleged that he pretended to be a woman by name Kylie page. He induced his victims and benefited gift cards worth a pal by sum on \$200 USD. The action of the young man, Vincent Ameh is an offence contrary to **S. 321 of the Penal Code** and punishable under **S. 322 of the Penal Code Act, Law of the Federation (Abuja) 1990.**

However, while on the same act, luck ran out of him and the Economic and Financial Crimes Commission (EFCC) personnel nabbed him, arrested him and charged him to Court and the matter was assigned to this FCT High Court No. 16.

The Court read out the one count charge in the language the Defendant understands which is English Language. He pleaded GUILTY to the charge. He had Counsel representation in Court. His Counsel, Dave Ohume Esq. in the traditional Allocutus, had pleaded with Court to temper justice with mercy as the Defendant is a first time offender. That he has shown remorse and regretted his action. He had told Court that it is at the discretion of Court to exercise its discretion in favour of the Defendant. That Court should sentence him to a very liberal term.

It is imperative to state that there is a first time in everything in life. There is a first time an egg is fertilized in a woman's womb and first time a baby is born. First time the baby cried, sucks its mother's breast, first time it drank water, eat solid and liquid food, first time it learn to sit, crawl, walk, goes to school, primary, secondary, first time it take JAMB exam. First time it owns a phone, maybe as a gift or he purchased the phone. First time it surfs the internet. First time it opens a Facebook Account. First time he decides to cheat. First time he actually cheats. First time he decides to impersonate, pretending to be a woman which he is not. First time to request for and first time he receives a gift card. First time he is nabbed and arrested by EFCC and first time he is arraigned before the Court after a

charge is filed. First time he takes a plea of Guilty and first time he is convicted based on his plea. First time his Counsel does Allocutus on his behalf and first time he is waiting to be sentenced by Court.

That is why I stated that there is first time in everything done on earth and even, I guess in heaven or hell depending on where the person goes to at the end of the day.

Anyway, it is imperative to state that once a person is arraigned and he pleads GUILTY to the offence after it is read to him in the language e understands that the Court will convict the person immediately and there will be no need for Prosecution to prove the case against such person. Once that is done, the person, who at the point of arraignment is known as a Defendant, automatically becomes a Convict and after the Allocutus then the Court will pronounce the sentence.

That is the situation in this case. This Defendant – Vincent Ameh having pleaded Guilty to the single charge of cheating, an offence under **S. 321 of the Penal Code** is hereby CONVICTED of the said offence of CHEATING by impersonation.

The Court having noted the Allocutus by the Counsel to the Convict hereby sentences him – Vincent Ameh (AKA Kylien) to two (2) years imprisonment to be served at the Suleja Correctional Facility for the said offence as charged.

The Court also Order that the instrument of cheating – the iPhone 14 Pro which was confiscated from the Convict be forfeited to the Federal Republic of Nigeria.

**This is the Bench Judgment of this Court.**

**Delivered today the \_\_\_ day of \_\_\_\_\_ 2024 by  
me.**

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**K.N. OGBONNAYA**  
HON. JUDGE