

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT APO, ABUJA**  
**ON THURSDAY, THE 27<sup>TH</sup> DAY OF FEBRUARY, 2025**  
**BEFORE HIS LORDSHIP: HON. JUSTICE ABUBAKAR HUSSAINI MUSA**  
**JUDGE**

**SUIT NO.: FCT/HC/GAR/CV/374/2024**

**BETWEEN:**

**FAWAZ YUSUF**

**APPLICANT**

**AND**

- |   |                      |
|---|----------------------|
| <ol style="list-style-type: none"><li>1. THE INSPECTOR-GENERAL OF POLICE</li><li>2. THE DEPUTY INSPECTOR-GENERAL OF POLICE<br/>FORCE CRIMINAL INVESTIGATION DEPARTMENT (FCID)</li><li>3. THE COMMISSIONER OF POLICE, FCT COMMAND</li><li>4. INSPECTOR YUSUF MUHAMMED (FCID)</li><li>5. OFFICERS OF THE FCID</li></ol> | } <b>RESPONDENTS</b> |
|---|----------------------|

**JUDGMENT**

This Judgment is on an application for the enforcement of the fundamental rights of the Applicants brought under the Fundamental Rights (Enforcement Procedure) Rules 2009.

By way of an Originating Motion on Notice, the Applicant instituted this action against the Respondents seeking for the following reliefs:-

1. *A Declaration that the attempted arrest, continuous harassment and intimidation of the Applicant by the Respondents is not justifiable under any of the exceptions provided in section 35 (1)(a) – (f) of the*

*Constitution of the Federal Republic of Nigeria 1999 (as amended) and is consequently a grave violation of the Applicant's rights to personal dignity and liberty as guaranteed by section 34(1) and section 35(1) of the Constitution of the Federal Republic of Nigeria, 1999 as amended.*

- 2. A Declaration that the search on the Applicant's premises by the 4<sup>th</sup> and 5<sup>th</sup> Respondents without a valid warrant is unlawful and a violation of his constitutional right as enshrined in section 37 of the Constitution of the Federal Republic of Nigeria 1999 as amended.*
- 3. A Declaration that the removal and detention of the Applicant father's car because they perceived the Applicant has committed an offence is unlawful.*
- 4. An Order of perpetual injunction restraining the Respondents either by themselves, their servants, agents, functionaries, assigns, privies, whomsoever or howsoever described from further invading into the premises of the Applicant, harassing, arresting, detaining, intimidating and from further physical and emotional torture of the Applicant or in any other way interfering with the Applicant's fundamental rights to his home and communication, dignity of person, personal liberty and*

*freedom as protected by Chapter IV of the Constitution of the Federal Republic of Nigeria, 1999 as amended.*

5. *An Order of court directing the release of the Applicant's father's black Lexus Salon car with registration number as BEN 272 RW, Apple iPhone and International passport to the Applicant forthwith and absolutely.*
6. *The sum of ₦50,000,000.00 (Fifty Million Naira only) as compensation for the aforesaid psychological torture, unlawful entry and attempted arrest of the Applicant on the 6<sup>th</sup> day of June, 2024 by the 4<sup>th</sup> and 5<sup>th</sup> Respondents in accordance with section 35(6) of the Constitution of the Federal Republic of Nigeria 1999 as amended.*
7. *An Order for the payment of the sum of ₦100,000,000.00 (One Hundred Million Naira only) as damages severally and jointly against the 1<sup>st</sup> – 5<sup>th</sup> Respondents for their attempted arrest, continuous harassment, intimidation and removal and detention of the Applicant's father's car, black Lexus Salon car with registration number as BEN 272RW which act has subjected him to hardship, psychological and emotional torture.*
8. *An Order directing the Respondents to apologise in writing to the Applicant for infringement of the Applicant's constitutional guaranteed*

*fundamental rights in line with the provisions of section 35(6) of the Constitution of the Federal Republic of Nigeria, 1999 as amended by publishing the said apology in two popular national daily newspapers within 14 days of making this order.*

9. *And for such further or other orders as this Honourable Court may deem fit to make in the circumstances of this case.*

All the Respondents were served on the 12<sup>th</sup> of July, 2024. The Respondents did not file any Counter-Affidavit to the application of the Applicant. On the 3<sup>th</sup> of December, 2024, learned Counsel for the Applicant adopted his processes in asking the court to grant the reliefs sought by the Applicant against the Respondents. The Court adjourned to the 27<sup>th</sup> of February, 2025 for Judgment.

The facts grounding this application are found in the affidavit in support of the originating application. In the affidavit, the Applicant, a businessman and master degree student in cybersecurity, alleges egregious violations of his fundamental rights by officers of the Nigeria Police Force. He asserts that, on June 6, 2024, the 4<sup>th</sup> and 5<sup>th</sup> Respondents unlawfully invaded his residence, destroying his property and forcibly gaining entry without proper identification. The officers presented a warrant bearing another individual's

name and accused the Applicant of cybercrime, which he vehemently denied.

Dissatisfied with his responses, the officers allegedly ransacked his apartment, coerced him into sitting before his laptop while recording him, and interrogated him regarding his financial sustenance. The Applicant, fearing for his safety due to the Respondents' unofficial appearance and vehicles, fled the scene. Upon his return, he discovered that the officers had taken his father's vehicle, his late mother's mobile phone, and his international passport. Additionally, they had unlawfully detained his friend, who was only released after his family paid a sum of Two Million Naira (₦2,000,000.00).

The Applicant contends that his liberty, security, and livelihood are at risk due to the continuous threats and intimidation by the Respondents. He further asserts that their actions have caused him severe financial losses, emotional distress, and an ongoing fear of arbitrary arrest and malicious prosecution.

The Applicant, believing that the Respondents will persist in their unlawful acts unless restrained, seeks the court's intervention for the protection and enforcement of his fundamental rights. He submits that the court, as the

last bastion of justice, must uphold his constitutional rights and prevent further oppression, injustice, and harm.

Accordingly, he prays for urgent judicial relief to safeguard his personal freedom, property, and dignity.

In his Written Address in support of the originating application, the Applicant formulated two issues, videlicet: *“(1) Whether from the facts before the court, the Respondent is in breach of the Applicant’s fundamental right to dignity of human person and right to liberty; (2) Whether this Honourable Court can grant the reliefs the Applicant seeks for the violation of their fundamental rights by the Respondents?”* Counsel for the Applicant submitted that the Respondents’ actions have breached the fundamental rights to dignity and liberty, as protected by the Nigerian Constitution, and that the court can grant him reliefs for the alleged violation of their rights.

The Applicant alleges that the Respondents’ actions, including attempted arrest and unlawful search, have caused them physical, psychological, and emotional torture, which is a breach of their constitutionally guaranteed rights to dignity, liberty, and fair hearing.

Learned Counsel also submitted that, under Section 46 of the 1999 Constitution, they have the right to seek enforcement of their fundamental rights when breached. The Applicant argues that the court should grant him the reliefs he seeks, including compensation and a public apology, as the Respondents' actions have caused him injury and violated his rights.

The Applicant cited several cases to support their arguments, including ***NNSC Vs ESV (1990) 7 NWLR (Pt. 164) 526, Peter Nemi v. A.G. Lagos State 6 NWLR (Pt. 452) 43, and Abiola v. Abacha & Ors (1998) H.R.L.R.A. 477 at 462.*** He urged the court to grant all the reliefs sought, including compensation and a public apology, as the Respondents' actions have breached their fundamental rights.

In order to determine whether the Applicant is entitled to the reliefs sought in this application, this Court shall examine the facts in support of the application as well as the circumstances of this case, to wit, the fact that the Respondent did not challenge the suit of the Claimant. In view of this, therefore, this Court hereby nominate this sole issue for determination:

***“Whether from the facts and circumstances of this originating application for the enforcement of the fundamental rights of the Applicant, the Applicant has not established that his fundamental rights as set out on the face of the Motion papers and the Statement in***

***support thereof and therefore entitled to all the reliefs sought in this originating application for the enforcement of his fundamental rights?”***

## **RESOLUTION OF SOLE ISSUE**

I shall launch the resolution of this sole issue with the highlight of the first principal relief sought in this application. The Applicant seeks a declaration of this Court that the attempted arrest, continuous harassment and intimidation of the Applicant is not justifiable and is au contraire to the provisions of sections 34 and 35 (1)(a) – (f) of the Constitution of the Federal Republic of Nigeria, 1999. From the averments of the Applicant in paragraphs 8, 9, 10, 11 and 12 of the affidavit in support of his application, the 4<sup>th</sup> and 5<sup>th</sup> Respondent broke into his home, harassed him, escorted him to their unmarked vehicles and were on the verge of taking him away before he escaped. Though he was not arrested and detained, the steps were already in place to that effect.

Section 46(1) of the Constitution of the Federal Republic of Nigeria 1999 provides that ***“Any person who alleges that any of the provisions of this Chapter has been, is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress.”***

Thus, it is not only actual abridgment of any of the fundamental rights enumerated and protected in Chapter IV of the Constitution that gives rise to an action for the enforcement of the fundamental rights of the Applicant; any threat, apprehension or prospect of its evisceration is a ground for the activation of the fundamental rights of the Applicant.

In this action, the Applicant is alleging actual breach of his right to dignity of the human and his right to private family as well as threatened breach of his right to personal liberty. Section 34 of the Constitution deals with the right to dignity of the human person. The section provides that:-

***“(1) Every individual is entitled to respect for the dignity of his person, and accordingly–***

***(a) no person shall be subject to torture or to inhuman or degrading treatment;***

***(b) no person shall be held in slavery or servitude; and***

***(c) no person shall be required to perform forced or compulsory labour.***

***(2) for the purposes of subsection (1) (c) of this section, "forced or compulsory labour" does not include –***

***(a) any labour required in consequence of the sentence or order of a court;***

***(b) any labour required of members of the armed forces of the Federation or the Nigeria Police Force in pursuance of their duties as such;***

***(c) in the case of persons who have conscientious objections to service in the armed forces of the Federation, any labour required instead of such service;***

***(d) any labour required which is reasonably necessary in the event of any emergency or calamity threatening the life or well-being of the community; or***

***(e) any labour or service that forms part of –***

***(i) normal communal or other civic obligations of the wellbeing of the community.***

***(ii) such compulsory national service in the armed forces of the Federation as may be prescribed by an Act of the National Assembly, or***

***(iii) such compulsory national service which forms part of the education and training of citizens of Nigeria as may be prescribed by an Act of the National Assembly.”***

The contention of the Applicant is that the conduct of the Respondents towards him translated to torture, inhuman and degrading treatment. As to what constitutes a breach of the right to dignity of the human person, the Court in ***Nduka Eziegbo & Anor v. ASCO Investment Ltd & Anor (2022) LPELR-56864(SC) per Mohammed Lawal Garba, JSC at Pp. 6-7, paras. B-A*** explained that:

***“... the provisions in Section 34 (1) (a) guarantee respect for the dignity of the person of all persons in Nigeria and that a person shall not be subjected to torture or to inhuman or degrading treatment. This is one, and in deed the second of the fundamental right provided for and guaranteed by the Grundnorm and Fountain of all laws in Nigeria. See *Rabiu v. The State (1980) 8 11 SC, 130, A.G., Bendel State v. A.G., Federation (1981) 10 SC, 7 at 132 - 134, (1982) 3 NCLR, 1, under Chapter IV for all persons (Nigerians and others living in Nigeria). Accordingly, no other person/s and/or authority in Nigeria shall subject a person or person to any form of torture; physical, psychological, mental, etc., inhuman or other degrading treatment,****

***but shall accord due respect for the dignity of the person/s. See Fawehinmi v. Abacha (1998) 1 HRLRA, 541, Uzoukwu v. Ezeonu (1991) 6 NWLR (pt. 200) 708."***

It follows therefore that torture of any kind amounts to an abridgment of the right to dignity of the human person. It is my considered view, therefore, that the acts of the Respondents in breaking into the house of the Applicant on the 6<sup>th</sup> of June, 2024 at 10am as the Applicant averred in paragraph 8 of the affidavit in support of the application, which averment was supported by Exhibit F2, or even at any time and date at all, treating the Applicant like a criminal, even without the production of the statutorily required warrant of arrest, or the production of warrant with the name of another person thereon as deposed to in paragraph 10 of the affidavit in support and walking the Applicant to their unmarked vehicles, with the Applicant hedged between the Respondents, is degrading and inhuman treatment capable of instilling psychological, emotional and mental torture on the Applicant. In fact, the acts instilled palpable fear, consternation and terror in the Applicant that he had to flee, not bothered whether he was shot in the process or knocked down by moving vehicles. It is my considered view, therefore that the Applicant's right to dignity of the human person was breached by the Respondents.

Section 35 of the Constitution of the Federal Republic of Nigeria 1999 deals with the right to personal liberty. The said section provides thus:

***(1) Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in the following cases and in accordance with a procedure permitted by law –***

***(a) In execution of the sentence or order of a Court in respect of a criminal offence of which he has been found guilty;***

***(b) By reason of his failure to comply with the order of a court or in order to secure the fulfilment of any obligation imposed upon him by law;***

***(c) For the purpose of bringing him before a Court in execution of the order of a court or upon reasonable suspicion of his having committed a criminal offence, or to such extent as may be reasonably necessary to prevent his committing a criminal offence;***

***(d) In the case of a person who has not attained the age of eighteen years, for the purpose of his education or welfare;***

***(e) In the case of persons suffering from infectious or contagious disease, persons of unsound mind, persons addicted to drugs***

*or alcohol or vagrants, for the purpose of their care or treatment or the protection of the community; or*

*(f) For the purpose of preventing the unlawful entry of any person into Nigeria or, of effecting the expulsion, extradition or other lawful removal from Nigeria of any person or the taking of proceedings relating thereto.*

*Provided that a person who is charged with an offence and who has been detained in lawful custody awaiting trial shall not continue to be kept in such detention for a period longer than the maximum period of imprisonment prescribed for the offence.*

I have taken the liberty to reproduce the above subsection of section 35 of the Constitution *in extenso* in order to juxtaposition these provisions with the facts of these case as disclosed in the affidavit in support of the application. I have gone through the content of the affidavit in support of this application. It is obvious therefrom that the Applicant was not arrested by the Respondents, though they were already in the process of arresting him before he, in his words as seen in paragraph 12 of the supporting affidavit, "*fled for my dear life.*" There is no doubt, however, that the act of arresting and detaining the Applicant was almost complete before the

break. This fact therefore comes with the third factual circumstance that can ground an action for the enforcement of one's fundamental rights, to wit, the likelihood or imminence of the breach of one's fundamental rights. This situation has been recognised in a plethora of cases such as ***Ezeigbo v. Asco Inv. Ltd. (2022) 8 NWLR (Pt. 1832) 367 S.C. at 89, paras C-D, F-H*** where held that ***“For the purpose of the provisions of section 35 of the 1999 Constitution, put simply, “personal liberty” connotes freedom and autonomy of movement at will without any hindrance or restraint, physical or otherwise; and the right not to be subjected to any wrongful restraint, arrest or any other physical confinement, whether in an enclosure or open space in a manner which does not accord with the law or admit any legal justification. It may also mean freedom to do what a person pleases within the ambit of the law without any hindrance or restraint.”***

The Applicant averred that he has been living in fear of arrest by the Respondents since the 6<sup>th</sup> of June, 2024 when they attempted to arrest him. In other words, the Applicant no longer enjoy ***“freedom and autonomy of movement at will without any hindrance or restraint, physical or otherwise...”***In fact, the unchallenged evidence of the Applicant is that he currently lives the life of a fugitive, the Respondent having placed

a bounty of ₦2,000,000.00 (Two Million Naira only) as the price of his liberty. See paragraphs 12, 14, 16, 17 and 18 of the affidavit in support of the originating application. This is unacceptable in a democratic and civil society governed by a Constitution that guarantees the liberties of the citizens and everybody within and under its jurisdiction. It is my considered view that the Applicant has established the likelihood of the breach of his fundamental right to personal liberty. I so hold.

Section 37 of the Constitution guarantees the right to private and family life.

The section provides that “***The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected.***”

The Applicant in paragraph 9 of his affidavit in support of his application swore that the Respondent broke the padlock on his gate in order to gain entrance into his house. This they did without any search warrant. He narrated how he returned to his apartment the next day and saw that the Respondents ransacked his home, took away his father’s car that was parked in the compound, took his second phone which he had inherited from his mother, took his international passport and even arrested his friend, one Mr Abdul who was with him at the time the Respondents ingloriously

invaded his home. **Exhibit F3** is evidence that the car belongs to the Applicant's father, one Barrister Alhaji Abdulkareem Yusuf.

In *Hon. Peter Nwali v. Ebonyi State Independent Electoral Commission (EBSIEC) & Ors (2014) LPELR-23682(CA) at 27-29, paras E-E*, the Court of Appeal per Agim, JCA (as he then was, now, JSC) explained the scope of the right to private and family life as follows:-

***"S. 37 of the 1999 Constitution states that "the privacy of citizens, their homes, correspondence, conversations and telegraphic communication telephone guaranteed and protected". It is clear from the text of the provision that it specifically mentioned the types of privacy that it protects. Five of them are listed therein as follows- 1. The privacy of citizens 2. The privacy of their homes 3. The privacy of their correspondence 4. The privacy of their telephone conversations 5. The privacy of their telegraphic communication. These are clearly restated by this Court in Federal Republic of Nigeria V. Daniel (2011) 4 ELR 4152 thus- "Undoubtedly, by virtue of the Provision of Section 37 of the 1999 Constitution, the privacy of every Nigerian citizen, the home, correspondence, telephonic and telegraphic communications are cherishingly guaranteed and protected. The trial Court in stating the scope of the said right, listed the aspects of privacy S.37***

***contemplates as follows- 1. Privacy at home 2. Privacy of one's communication 3. Privacy in private family and matters incidental thereto. I understand privacy of one's communication as used by the trial Court to mean privacy of correspondence, privacy of telephone conversations and privacy of telegraphic communication. It excluded the privacy of the citizens expressly provided for in S. 37 of the Constitution and included privacy of private family life and matters incidental thereto not expressly provided for in the text of the provision. The privacy of home, privacy of correspondence, privacy of telephone conversations and privacy of telegraphic communication are clear and particular as to the nature of privacy protected or the area or activity in respect of which a person is entitled to enjoy privacy. It is obvious that the right to the privacy of the person's decision and choice of candidate to vote for cannot be enjoyed as part of the privacy of his home, the privacy of his correspondence, the privacy of his telephone conversation and the privacy of his telegraphic communication. It is glaring that the phrase "Privacy of Citizens" is general and is not limited to any aspect of the person or life of a citizen. It is not expressly defined by the Constitution and***

***there is nothing in the Constitution or any other statute from which it's exact meaning or scope can be gleaned."***

There is no question that the conduct of the Respondents is a direct violation of the right of the Applicant to private and family life. I so hold.

I however find it difficult to see how the removal and detention of the car which, from the depositions of the Applicant in the Affidavit in support of the originating application for the enforcement of his fundamental rights and Exhibit F3 constituted a breach of any of the rights of the Applicant. Since the car does not belong to the Applicant, the Applicant cannot claim that his right to own movable property and interest in immovable property enshrined in section 44 of the Constitution of the Federal Republic of Nigeria, 1999 has been breached. The appropriate person to bring an action for the enforcement of the right under section 44 would have been the Applicant's father.

However, since the Respondents took the car away in furtherance of the unlawful and illegal abbreviation of the fundamental rights of the Applicant to dignity of the human person, family and private life and the attempted breach of his right to personal liberty, this Court will not allow them to keep the car, especially, as the unchallenged evidence of the Applicant points

inexorably to the conclusion that the Respondents took the car as a bait to lure the Applicant to their lair – just the same manner they detained the Applicant’s friend, Mr Abdul, in order to procure the Applicant’s attendance at their office. The action of the Respondent goes against the provision of section 7 of the Administration of Criminal Justice Act, 2015 which prohibits the arrest of someone in lieu of a suspect. This Court will neither lend itself to lawlessness nor facilitate the perpetuation of same. In view of this therefore, I will grant the third declaratory relief, to wit, *“A declaration that the removal and detention of the Applicant’s father’s car because they perceived the Applicant has committed an offense is unlawful.”*

The Respondents, it is very important to state here, did not challenge the averments contained in the paragraphs of the affidavit in support of the application for the enforcement of the fundamental rights of the Applicant, seeing he did not file any Counter-Affidavit. The law is settled on the effect of an unchallenged affidavit evidence. In ***Danladi v Taraba State House of Assembly & ORS (2014) LPELR-24021 (SC)***, the Supreme Court held that: ***“Where facts deposed to in an affidavit on a crucial material issue are not controverted or denied in a counter-affidavit, such facts must be taken as true except they are moonshine.”*** In the case of ***Ogojeofov Ogojefofo(2006) LPELR-2308 (SC)***, it was held

that: ***“It is also the law that the unchallenged and uncontroverted facts deemed admitted in the affidavit must be capable of proving and supporting the case of the appellant as the applicant. In other words, the evidence contained in the unchallenged affidavit must be cogent and strong enough to sustain the case of the applicant.”*** See also the case of ***JMG Ltd v Israel & Ors (2020) LPELR-50585 CA*** where the Court of Appeal held that: ***“It is trite that any unchallenged and uncontroverted facts which are deemed admitted by the adversary must be capable of proving and supporting the applicant relying on the said facts. This is to say the affidavit evidence deemed unchallenged must be cogent and sufficient enough to sustain the applicant’s case”***

On the question of perpetual injunction and damages for the breach of the fundamental rights of the Applicant, I agree with the learned Counsel for the Applicant that having established the breach of his fundamental rights to dignity of the human person, personal liberty as well as private and family life, he is entitled to the equitable reliefs of injunction and damages. I also pay obeisance to the decision of the court as expounded in ***Ukpai v. Omoregie & Ors (2019) LPELR-47206 (CA) at 27, paras E-F*** where it held that ***“...it is well settled law that in a fundamental rights case, the award of damages naturally flows from the violation of the right***

***alleged to have been breached. The purpose of awarding damages in a fundamental right cases is to compensate a person for the injury suffered by him.***”Specifically, the law assumes in favour of any applicant who has suffered a breach of any of his fundamental rights that he is entitled to damages even if such applicant has not specifically asked for damages.

In ***Skye Bank v. Njoku&Ors(2016) LPELR-40447 (CA)***the Court of Appeal held ***at page 31 para D-E*** that:

***“In fundamental rights action, damages automatically accrue, once the respondent has been adjudged to have violated the applicant’s fundamental rights.”***

Also in the case of ***JideArulogunv. Comm of Police Lagos State &Ors(2016) LPELR 40190 (CA)***, the Court of Appeal held *inter alia* that:

***“For the avoidance of doubt, common law principle on award of damages do not apply to matters brought under the fundamental rights. When a breach is proved, the victim is entitled to compensation even if no specific amount is claimed. The damages automatically accrue.”***

It is important to that though damages follow naturally where a breach of an applicant's fundamental rights has been established, the specific provision of compensation and public apology applies only where the applicant was actually arrested and detained. It does not apply to where there is an attempt to arrest and detain the person unlawfully, or where the person has gone into hiding in order to evade unlawful arrest and detention. The words of section 35(6) of the Constitution are quite clear and unambiguous: ***“Any person who is unlawfully arrested or detained shall be entitled to compensation and public apology from the appropriate authority or person; and in this subsection, “the appropriate authority or person” means an authority or person specified by law.”***

In view of the foregoing therefore, this Honourable Court finds the application for the enforcement of the fundamental rights of the Applicants meritorious. The reliefs sought in this application is granted in part as follows:-

- 1. THAT the attempted arrest, continuous harassment and intimidation of the Applicant by the Respondents is not justifiable under any of the exceptions provided in section 35 (1)(a) – (f) of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and is consequently a grave violation of the**

**Applicant's rights to personal dignity and liberty as guaranteed by section 34(1) and section 35(1) of the Constitution of the Federal Republic of Nigeria, 1999 as amended.**

- 2. THAT the search on the Applicant's premises by the 4<sup>th</sup> and 5<sup>th</sup> Respondents without a valid warrant is unlawful and a violation of his constitutional right as enshrined in section 37 of the Constitution of the Federal Republic of Nigeria 1999 as amended.**
- 3. THAT the removal and detention of the Applicant father's car because they perceived the Applicant has committed an offence is unlawful.**
- 4. THAT AN ORDER OF PERPETUAL INJUNCTION IS HEREBY MADE RESTRAINING the Respondents either by themselves, their servants, agents, functionaries, assigns, privies, whomsoever or howsoever described from further invading into the premises of the Applicant, harassing, arresting, detaining, intimidating and from further physical and emotional torture of the Applicant or in any other way interfering with the Applicant's fundamental rights to his home and communication, dignity of person, personal liberty and freedom as protected by Chapter IV**

of the Constitution of the Federal Republic of Nigeria, 1999 as amended.

5. THAT AN ORDER OF COURT IS HEREBY MADE DIRECTING the release of the Applicant's father's black Lexus Salon car with registration number as BEN 272 RW, Apple iPhone and International passport to the Applicant forthwith, unconditionally and absolutely.
6. THAT the sum of ₦4,000,000:00 as compensation for the aforesaid psychological torture, unlawful entry and attempted arrest of the Applicant on the 6<sup>th</sup> day of June, 2024 by the 4<sup>th</sup> and 5<sup>th</sup> Respondents in accordance with section 35(6) of the Constitution of the Federal Republic of Nigeria 1999 as amended.
7. THAT an Order for the payment of the sum of ₦2,000,000:00 as damages severally and jointly against the 1<sup>st</sup> – 5<sup>th</sup> Respondents for their attempted arrest, continuous harassment, intimidation and removal and detention of the Applicant's father's car, black Lexus Salon car with registration number as BEN 272RW which act has subjected him to hardship, psychological and emotional torture.

**8. Relief Number 8 is hereby refused.**

**9. THAT an Order of Court is hereby made placing 10% post-Judgment interest on the entire Judgment sum from the date of Judgment until the entire Judgment sum is fully and finally liquidated.**

This is the Judgement of this Honorable Court, delivered today, the 27<sup>th</sup> of February 2025.

**HON. JUSTICE A. H. MUSA  
JUDGE  
27/02/2025**

**APPEARANCE:**

**FOR THE APPLICANT:**

**Martins Emokpaire, Esq.**

**E. O. Ahomioje, Esq.**

**FOR THE RESPONDENTS:**

**Not in Court and not represented.**