

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT MAITAMA – ABUJA**

**BEFORE HIS LORDSHIP: HON. JUSTICE. H. MU’AZU
SUIT NO: FCT/HC/CV/7926/2023
DELIVERED ON THE 13/10/2025**

BETWEEN:

ADEDIPE ADEAYO JOHNSON.....APPLICANT

AND

ECONOMIC AND FINANCIAL CRIMES COMMISSION.....RESPONDENT

JUDGMENT

The Applicant (Adedipe Adeayo Johnson) alleged that on Friday 16th August, 2019, he was invited by the Respondent in the Enugu Zonal Office and he was made to make an extra judicial statement and was also detained for 5 days before he was released on bail.

That the investigation activities and interrogation, were in respect of acts and matters arising from, concerning, relating or pertaining to the Government of Imo State between 29/05/2011 and 28/05/2019 being the tenure of Senator Rochas Okorocha as Governor of Imo State.

The Applicant avers that on 09/07/2021, the said Senator Okorocha instituted suit No. **FHC/PH/FHR/165/2021** at the Federal High Court (Port Harcourt) to redress the same Respondent’s Prejudicial investigation into the activities of his government of Imo State, between 29/05/2011 and 28/05/2019, which activities included the subject matter of his interrogation by the Respondent. And that the Federal High Court set aside all investigative action/activities of the Respondent.

The Applicant brought this Originating Summons for enforcement of his fundamental Right against the Respondent and formulated the following question for determination:

- (1) In view of the subsisting Judgments of the Honourable Federal High Court in Suit No.: FHC/PH/FHR/165/2021 and Charge No.: FHC/ABJ/CR/28/2022 and upon the construction of Section 6, 35 & 287(3) of the 1999 Constitution of the Federal Republic of Nigeria (As Amended), whether the Respondent may further invite, interrogate, arrest, harass, arraign the Applicant and/or engage in other investigative/prosecutorial activities, actions and proceedings, in respect of acts and matters relating, concerning and/or pertaining to the Government of Imo State from 29th May, 2011 to 29th May, 2019 when Anayo Rochas Okorochoa was Governor.**
- (2) Upon the construction of Section 287(3) of the 1999 Constitution of the Federal Republic of Nigeria (As Amended), whether the Respondent could lawfully interrogate and/or investigate the activities of the Applicant when there was extant Court Order of this Honourable Court in Suit No. FHC/ABJ/CS/475/2019 for ‘Stay’ of such action.**

Upon the determination of the above questions the Applicant seeks for the following reliefs:

- 1. A DECLARATION OF THIS HONOURABLE COURT that upon the decision of the Federal High Court in Suit No. FHC/PH/FHR/165/2021 setting aside all investigation conducted by the Respondent herein, relating to acts and matters of, concerning and/or pertaining to the Government of Imo State, from 29th May, 2011 to 28th May, 2019, being the tenure of Senator Rochas Okorochoa as Governor, the continued and or further investigation or preparation for investigation; and/or invitation for interrogation or further*

interrogation and/or threat of arrest and/or prosecution of the Applicant, in respect of acts or matters arising from and concerning the same Government of Imo State, during the tenure of same Senator Rochas Okorocha as Governor, is in violation of Section 6(6) of the Constitution of the Federal Republic of Nigeria (As Amended) and in flagrant breach of the Applicant's Fundamental Human Right to personal liberty and fair hearing, guaranteed under the 1999 Constitution of the Federal Republic of Nigeria (As Amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act.

2. ***AN ORDER*** of this Honourable Court restraining the Respondent, its officers and men, staff, employees and agents, from further interrogating or inviting for interrogation, investigating, arresting, obtaining Statements or further Statements, detaining or prosecuting the Applicant, on the basis of investigation of any allegation relating to acts and matters concerning and/or pertaining to the administration of Imo State, between 29th May, 2011 and 28th May, 2019, which investigation had been set aside by the Federal High Court on 06/12/2021, in Suit ***FHC/PH/FHR/165/2021***.
3. ***A DECLARATION*** that the investigation, interrogation and obtainment of Written Statement of the Applicant, despite the extant Order for stay of such action made by the Federal High Court, in Suit No. ***FHC/ABJ/CS/475/2019***, is contrary to Sections 6 (6), 36 & 287 of the 1999 Constitution of the Federal Republic of Nigeria (As Amended) and in flagrant breach of the Applicant's Fundamental Human Right to fair hearing, guaranteed under the Constitution of the Federal Republic of Nigeria 1999 (As Amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act.
4. ***A DECLARATION*** that the invitation, investigation, interrogation and obtainment of Written Statement of the Applicant and the continued investigation and threat of his arrest, in respect of acts and matters

concerning and/or pertaining to the administration of Imo State, between 29th May, 2011 and 28th May, 2019, despite the Directive of the Honourable Attorney General of the Federation to stop such investigation and further recall of the case file, is in breach of the Applicant's Fundamental Human Right to fair hearing, guaranteed under the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act.

5. *A **DECLARATION** that the Respondent's seizure of the Applicant's International Passport/travel documents, in the course of conducting investigation, contrary to the subsisting Order for stay-of-action made by the Honourable Federal High Court Coram; Taiwo O. Taiwo J., in Suit No. **FHC/ABJ/CS/475/2019**; is unlawful and a breach of the Applicant's Fundamental Right of Freedom of Movement guaranteed by the Constitution of Federal Republic of Nigeria (As Amended) and African Charter on Human and People's Rights (Ratification and Enforcement) Act.*
6. *A **DECLARATION** that the Respondent's continued seizure of the Applicant's International Passport/travel documents, which was obtained in the course of Respondent's investigation but which investigation has been set aside by the decision of the Honourable Federal High Court in Suit No. **FHC/PH/FHR/165/2021**, is unlawful and a breach of the Applicant's Fundamental Right of Freedom of Movement, guaranteed by the Constitution of Federal Republic of Nigeria (As Amended) and African Charter on Human and People's Rights (Ratification and Enforcement) Act.*
7. ***AN ORDER** of this Honourable Court that the Respondent shall immediately release/surrender forthwith, the Applicant's subject International Passport/travel documents.*
8. ***SUCH ORDERS OR FURTHER ORDER(S)** as this Honourable Court may deem fit to make in the circumstances of this case.*

The said Originating summons was duly served on the Respondent in line with law and procedure. Upon service, the Respondent filed its counter affidavit in opposition to the application for the enforcement of the Fundamental Right.

The Applicant again filed a further affidavit. whereupon parties adopted their processes in line with law and procedure to pave way for this Judgment.

As introduced in the preceding part of this Judgment, the Applicant alleged that the subject matter of his investigation and interrogation was duly determined by the Federal High Court in suit No. **FHC/PH/FHR/165/2021** a suit instituted by Senator Okorochoa to redress Prejudicial investigation into the activities of his governance of Imo State between 29/05/2011 and 28/05/2019 which activities included the subject matter of his interrogation.

The Applicant avers that the Federal High Court set aside all investigation action, activities of the Respondent conducted in flagrant breach of the subsisting Order of this Hon. Court Coram Taiwo O. Taiwo J. made on 08/05/2019 in suit No. **FHC/ABJ/CS/45/2019** and breach of Applicant; Fundamental Right.

That the Respondent further instituted charge No. **FHC/ABJ/CR/28/2022** dated 24/01/2022 and filed on 31/01/2022 against Senator Rochas Anayo Okorochoa which same was predicated on the investigation activities that was quash.

That the said charge was quash for being incompetent same been predicated on quashed investigation of matters relating, concerning and/or pertaining to the Government of Imo State.

The Applicant annexed the following documents to the Originating Summons to wit;

- (1) CTC of Judgment and Enrolled Order in suit No. FHC/PH/FHR/165/2021**
- (2) Letter from A. G. Federation to the Chairman of EFCC**
- (3) Letter from A.G. Federation to the Chairman of EFCC**
- (4) Ruling in charge No. FHC/ABJ/CR/28/2022**
- (5) Enrolled Order of the Ruling**
- (6) Originating Process in Suit No. FHC/ABJ/CS/475/2019 and the enrolled order.**

A written address was filed in line with law and procedure wherein three issues were distilled for determination to wit:

- (1) Whether the Respondent may further invite, interrogate, arrest, harass, arraign the Applicant and/or engage in other investigation/prosecutorial activities, actions and proceedings, in respect of acts and matters relating, concerning and/or pertaining to the Government of Imo State from 29/5/2011 to 29/5/2019 when Anayo Rochas Okorochoa was Governor, despite the subsisting Judgment of the Federal High Court in suit No. FHC/PH/FHR/165/2021 and charge No. FHC/ABJ/CR/28/2022.**
- (2) Whether the Respondent could lawfully interrogate and/or investigate the activities of the Applicant when there was extant Court order in the said suit No. FHC/ABJ/CS/475/2029 restraining the Respondent from such interrogation and/or investigation.**
- (3) Whether the seizure or continued seizure of the Applicant's international passport and other travel documents by the Respondent, in the course of investigation, contrary to a positive extant order for stay of action, made by the Federal High Court in Suit No. FHC/ABJ/CS/475/2019 and the order setting aside the Respondent's investigation made by the same Hon. Court in suit No. FHC/PH/FHR/165/2021 is not unlawful and a breach of the Applicant's Fundamental Right of freedom of movement.**

Learned Senior Counsel for the Applicant argued that the act of the Respondent is clearly a breach of the Applicant's fundamental right and therefore, this Court should grant all the reliefs sought.

Reacting to the Originating Summon, the Respondent filed a counter affidavit of 28 paragraphs duly deposed to by one Ahmed Tahir, a legal officer with the Respondent.

It is the deposition of the Respondent that the suit No. **FHC/ABJ/CS/475/2019** was instituted by Rochas Owelle Okorochoa for enforcement of his fundamental right and Judgment given in his favour.

That Hon. Justice Taiwo O. Taiwo in the course of hearing suit No. **FHC/ABJ/CS/475/2019** did not direct the Respondent to stay all actions in connection with the allegation leveled against the Applicant as the subject matter concerned only the Applicant in this suit.

It is further the averment of the Respondent that the suit No. **FHC/PH/165/2021** instituted by Senator Rochas Anayo Okorochoa against the Respondent, the relief sought were based on the alleged breach of the subsisting order of this Hon. Court made on 8/5/2019 in suit No. **FHC/ABJ/CS/475/2019**. And that the Applicant in the present suit was not a party to the said suit and the order made was only in favour of the Rochas Owelle Okorochoa.

The Respondent avers further that suit No. **FHC/ABJ/475/2019** and **FHC/PH/FHR/165/2021** did not set aside all investigations conducted by the Respondent relating to acts and matters concerning the government of Imo State between 29/05/2011 and 29/05/2019. As the Order to set aside investigation was made solely on the basis of violation of the earlier subsisting order in suit No. **FHC/ABJ/CS/475/2019** and pertained to Owelle Rochas Okorochoa's Right to personal liberty. And that the totality of investigative activities by the Respondent with respect to the period of Rochas Okorochoa's tenure as Governor was never invalidated.

A written address was filed wherein the following issues were formulated for determination to wit;

- (1) Whether the Applicant can rely on Judgments in FHC/ABJ/CS/475/2019 and FHC/PH/FHR/165/2021 to restrain the EFCC from lawfully investigating him.**
- (2) Whether the Applicant, not being a party to the said suits, can validly invoke those Judgment to enforce Fundamental Rights?**
- (3) Whether the Respondent is bound by directives or letters from the Attorney General of the Federation in the exercise of the statutory functions.**

Learned Counsel submits that a Judgment in person am is only binding on the parties to it, and that the Applicant been not a party to the Judgment cannot take benefit of it. Counsel urged the Court to dismiss this suit for want of merit.

The Applicant upon service filed a further affidavit wherein it stated that the Respondent refused to stay action concerning the activities of Rochas Okorochoa rather accusing, inviting, arresting, detaining and/or prosecuting his associates without leaves of Court. And that the Respondent's interrogation against the Applicant is on the basis that he is an associate of Rochas Okorochoa.

Learned Counsel in the Reply on points of law submitted that the authorities relied upon by the Respondent is misconceived as the Court order stopped the Respondent from all the investigation activities related to the governance of Rochas Okorochoa in Imo State from 29/05/2011 to 29/05/2019.

I have given a careful and insightful consideration to all the facts deposed and placed before the Court, the reliefs sought as well as the evidence adduced from all the processes filed. It is my view that the main issues seeking attention is, whether fundamental rights of the Applicant are in jeopardy through the actions of the Respondent who seized his international passport.

In fundamental right cases such as the present one, the law is clear as provided in section 46(1) of the 1999 Constitution (as amended) where it provides the grounds as to what determines if one's fundamental right is breached. The section state thus:

“Any person who alleged that any of the provision of this chapter has been is being or is likely to be contravened in any state in relation to him may apply to High Court in that state of redress.

By virtue of Order 11, Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules 2009:

“Any person who alleges that any of the fundamental rights provided for in the constitution and to which he is entitled, has been, is being or is likely to be infringed may apply to the Court in the state where the infringement occurs or is likely to occur for redress”.

Fundamental rights are generally regarded as those aspect of human rights which have been recognized and entrenched in the constitution. See *EFCC VS. AKINGBOLE (2015) 11 NWLR (PT. 1470) Page 249 at 290.*

These rights are emphasized further by the Court of Appeal in *FRANCIS VS. ASUGHA (2020) LPELR* (amongst other decided authorities) that:

the law is trite, what constitute fundamental rights of a citizen as enshrined in Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria (as amended). These right stands above the ordinary laws of the land and which infact is antecedent to the Political Society itself. It is a primary condition to a civilized existence.

The Applicant brought this action for the construction of section 6, 35 and 287 (3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and asked whether the Respondent may further invite, interrogate, arrest, harass, arraign the Applicant and/or engage in other

investigative/prosecutorial activities, actions and proceedings in respect of facts and matters relating, concerning and/or pertaining to the Government of Imo State from 29/05/2011 to 29/5/2019, when Anayo Rochas Okorochoa was Governor in view of the subsisting Judgment of Hon. Court in suit No. **FHC/PH/FHR/165/2021** and charge No. **FHC/ABJ/CR/28/2022**.

The Applicant annexed the Judgment and Ruling of the Federal High Court to the application under consideration. The Applicant annexed the Judgment of Federal High Court in suit No. **FHC/PH/FHR/165/2021** as **Exhibit P1**. For clarity purpose I shall reproduce some relevant orders made by learned brother, Hon. Justice Stephen Daylop Pam (Judge) in the above suit. Relief one granted by my brother read as thus;

“The arrest, detention, interrogation, obtainment of written statements, and threat of further arrest and detention of the Applicant, in the guise of conducting investigation into the activities of the Applicant’s administration of Imo State between 2011 – 2019, in violation of a subsisting order of stay of action on same subject matter, made by this Hon. Court, in suit No. FHC/ABJ/CS/508/2020 between the parties, are contrary to sections 6(6) and 35 of the 1999 Constitution, thus unlawful; and constitute violation of the Applicant’s Fundamental Human Right to personal liberty and dignity of Human person, guaranteed under the constitution of the Federal Republic of Nigeria (as amended) and the Africa Charter on Human and Peoples Right (Ratification and Enforcement Act).”

6. An Order set aside all other investigative actions/activities of the 1st Respondent conducted in flagrant breach of the subsisting order of the Hon. Court Coram Taiwo O. Taiwo J. made on 8/5/2019, in suit No. FHC/ABJ/CS/45/2019 and breach of Applicant’s Fundamental Right to personal liberty guaranteed under the Constitution of the Federal Republic of Nigeria (as amended) and African Charter on Human and Peoples Right (Ratification and Enforcement) Act.”

7. An Order or prohibiting of the 1st Respondent from further interrogation of the Applicant in respect of subject matter of investigation of activities of the Applicant's Administration of Imo State Government between 2011 and 2019."

The Applicant herein deposed in his affidavit particularly in paragraph 4 that, the whole of Respondent's investigative action/activities, upon his arrest and interrogations, were in respect of acts and matters arising from, concerning, relating or pertaining to the Government of Imo State between 29/05/2011 and 29/05/2019 being the tenure of Senator Rochas Okorocha, as Governor of Imo State.

Reacting to the above allegation, the Respondent stated that, the subject matter in suit No. above is the enforcement of the Fundamental Rights of Owelle Rochas Okorocha (the only Applicant in the suit) and that the Applicant in the present suit was not mentioned as a party in the said suit.

The Respondent further stated that Justice Taiwo O. Taiwo in the course of hearing suit No. **FHC/ABJ/CS/475/2019** did not direct the Respondent to stay all actions in connection with the allegations leveled against the Applicant.

I have seen the enrolled order of my brother Hon. Justice Taiwo O. Taiwo as annexed as **Exhibit P8**.

In the said Order my brother ordered as thus:

"An Order directing the Respondents by themselves, their servants, agents, privies or officers to stay all action in connection with the subject matter of this suit pending the hearing and determination of the Originating Motion on Notice."

The Applicant also annexed the main Originating motion in suit No. **FHC/ABJ/CS/475/2019** wherein my brother granted the above order as **Exhibit P7**.

The law is settled beyond any argument that a Judgment or ruling of a Court of law, no matter how incorrectly arrived at is valid, binding and subsisting until it is set aside by the same Court through a judicial review or by appellate proceedings. See *EDILCON NIG. LTD VS. UBA PLC (2017) LPELR 42347 (SC)*.

The law is equally clear that, it is the obligation of every person against or in respect of whom an order is made by a Court of competent jurisdiction to obey it unless and until that order is discharged and this is moreso where the person affected by the order believes it to be irregular or void. In so far as the order exists, it must be obeyed to the letter. See *ANAMBRA STATE VS. A.G. FRN & ORS. (2005) LPELR 13 (SC)*.

Indeed, the subsisting Judgment of my learned brother Hon. Justice Stephen Daylop Pam in suit No. **FHC/PH/FHR/165/2021**, setting aside the investigative actions/activities of the Respondent pertaining to the administration of Senator Rochas Anayo Okorochoa, as Governor of Imo State between May 29, 2011 to May 29, 2019 is a Judgment in rem. This can be seen from reliefs 6 and 7 quoted in the preceding parts of the Judgment. The feature of a Judgment in rem is that, it binds all persons whether party to the proceedings or not. It stops anyone from raising the issue of the status or person or persons or things, or the rights or title to the property litigated before a competent Court. It is indeed conclusive against the entire world in whatever it settles as to status of the person or property.

All persons whether party to the proceedings or not are not stopped from averring that the status of person is other than the Court has by such Judgment declared or made it to be. See *OGBORU VS. UDUAGHAN (2011) 17 NWLR (PT. 1277) 727 at 764 – 765 (CA)*.

Flowing from the above, it is my finding and Judgment that the Respondent's threats, including threat of arrest, detention and further interrogation of the Applicant, in relation to the same investigation which has already been set aside in suit No. **FHC/PH/FHR/165/2021** and Order of stay of action in Suit No. **FHC/ABJ/CS/475/2019** are unlawful and definitely amount to breach of the Fundamental Right of the Applicant.

I have again carefully considered **Exhibit P4** in evidence. The said Exhibit is a letter from the Director of Public Prosecutions of the Federation titled "***Re-Request for Urgent review of the contemptuous actions of the Economic and Financial Crimes Commission.***"

The said letter was addressed to the Executive Chairman of the Respondent from the Office of the Hon. Attorney General of the Federation requesting for details of order made against the Respondent with respect to investigation of activities with Respect to the case under consideration.

By **Exhibit P3**, issued by the Attorney General of the Federation (The Chief Law Officer), the Respondent was directed to comply with the Orders of Court giving in suit No. **FHC/PH/FHR/165/2021** and **FHC/ABJ/CS/475/2019**

Section 287 (3) of the Constitution of the Federal Republic of Nigeria 1999 provides that the decisions of the Federal High Court, a High Court and all other Courts established by this Constitution shall be enforced in any part of the Federation by all authorities and persons and by other Courts of law with subordinate jurisdiction to that of the Federal High Court and those other Courts respectively.

The Respondent, again argued that EFCC is an independent body and therefore not bound to comply with the directives of the Hon. Attorney General of the Federation.

It is instructive to state here that section **43 of the EFCC Act, 2004** provides that the Attorney General of the Federation may make rules or regulations with respect to the exercise of any of the duties, functions or powers of the Commission under this Act.

Similarly, the Attorney General has the power under **section 165 of the Administration of Criminal Justice Act** to issue legal advice or such other directives to the Police and other law enforcement agencies. This the section provides as thus;

- (1) The Attorney General of the Federation may issue legal advice or such other directive to the Police or any other law enforcement agency in respect of an offence created by an Act of the National Assembly.**
- (2) Where any proceeding is pending in respect of the offence for which legal advice or other direction referred to in subsection (1) of this section is given, a copy of the legal advice or direction shall be forwarded by the Attorney General of the Federation or Director of Public Prosecution to the Court before whom the proceedings is pending.**
- (3) The Attorney General of the Federation may request from the Police or any other agency for the case file in any matter in respect of an offence created by an Act of the National Assembly and the Police or other agency shall immediately said the case file as requested.**

From the above, it is my finding that whenever the Honourable Attorney General gives legal advice/directive or request for the case file, the relevant law enforcement agency is bound to comply with the directive/request of the Chief Law officer of the Federation and await his indication or approval to proceed.

The action of the Respondent to say the least is reprehensible and not acceptable

The aim and purpose of the Fundamental Right Enforcement procedure is to ensure, where infringement of Fundamental Right has been established, the Court must enforce same.

The Applicant's case succeeds on the strength of the affidavit evidence before me. Accordingly, it is hereby ordered as follows:

1. **I HEREBY DECLARED** that upon the decision of the Federal High Court in Suit No. **FHC/PH/FHR/165/2021** setting aside all investigation conducted by the Respondent herein, relating to acts and matters of, concerning and/or pertaining to the Government of Imo State, from 29th May, 2011 to 28th May, 2019, being the tenure of Senator Rochas Okorocha as Governor, the continued and or further investigation or preparation for investigation; and/or invitation for interrogation or further interrogation and/or threat of arrest and/or prosecution of the Applicant, in respect of acts or matters arising from and concerning the same Government of Imo State, during the tenure of same Senator Rochas Okorocha as Governor, is in violation of Section 6(6) of the Constitution of the Federal Republic of Nigeria (As Amended) and in flagrant breach of the Applicant's Fundamental Human Right to personal liberty and fair hearing, guaranteed under the 1999 Constitution of the Federal Republic of Nigeria (As Amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act.
2. **AN ORDER IS HEREBY GRANTED** restraining the Respondent, its officers and men, staff, employees and agents, from further interrogating or inviting for interrogation, investigating, arresting, obtaining Statements or further Statements, detaining or prosecuting the Applicant, on the basis of investigation of any allegation relating to acts and matters concerning and/or pertaining to the administration of Imo State, between 29th May, 2011 and 28th May, 2019, which investigation had been set aside by the Federal High Court on 06/12/2021, in Suit **FHC/PH/FHR/165/2021**.

3. **A DECLARATION** that the investigation, interrogation and obtainment of Written Statement of the Applicant, despite the extant Order for stay of such action made by the Federal High Court, in Suit No. **FHC/ABJ/CS/475/2019**, is contrary to Sections 6 (6), 36 & 287 of the 1999 Constitution of the Federal Republic of Nigeria (As Amended) and in flagrant breach of the Applicant's Fundamental Human Right to fair hearing, guaranteed under the Constitution of the Federal Republic of Nigeria 1999 (As Amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act **is hereby granted.**

4. **A DECLARATION IS HEREBY GRANTED** that the invitation, investigation, interrogation and obtainment of Written Statement of the Applicant and the continued investigation and threat of his arrest, in respect of acts and matters concerning and/or pertaining to the administration of Imo State, between 29th May, 2011 and 28th May, 2019, despite the Directive of the Honourable Attorney General of the Federation to stop such investigation and further recall of the case file, is in breach of the Applicant's Fundamental Human Right to fair hearing, guaranteed under the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act.

5. **A DECLARATION** that the Respondent's seizure of the Applicant's International Passport/travel documents, in the course of conducting investigation, contrary to the subsisting Order for stay-of-action made by the Honourable Federal High Court Coram; Taiwo O. Taiwo J., in Suit No. **FHC/ABJ/CS/475/2019**; is unlawful and a breach of the Applicant's Fundamental Right of Freedom of Movement guaranteed by the Constitution of Federal Republic of Nigeria (As Amended) and African Charter on Human and People's Rights (Ratification and Enforcement) Act **is hereby granted.**

6. **I FURTHER DECLARED** that the Respondent's continued seizure of the Applicant's International Passport/travel documents, which was obtained in the course of Respondent's investigation but which investigation has been set aside by the decision of the Honourable Federal High Court in Suit No. **FHC/PH/FHR/165/2021**, is unlawful and a breach of the Applicant's Fundamental Right of Freedom of Movement, guaranteed by the Constitution of Federal Republic of Nigeria (As Amended) and African Charter on Human and People's Rights (Ratification and Enforcement) Act.

7. **AN ORDER** of this Honourable Court that the Respondent shall immediately release/surrender forthwith, the Applicant's International Passport/travel documents **is hereby granted**.

This the Decision of the court.

SIGNED:
HON.JUDGE
13/10/2025

APPEARANCE:

NO APPEARANCE