

IN THE FEDERAL HIGH COURT OF NIGERIA
HOLDEN AT ENUGU
ON THURSDAY THE 21ST DAY OF APRIL, 2016
BEFORE THE HON. JUSTICE M.N. YUNUSA
JUDGE

CHARGE NO. FHC/EN/CR/2/2016

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

UZOIGWE SUNDAY - ACCUSED PERSON

Parties - Accused is present

Appearance- M.A Ekwu for the Prosecution

K.O.K Agbowo for the Defendant.

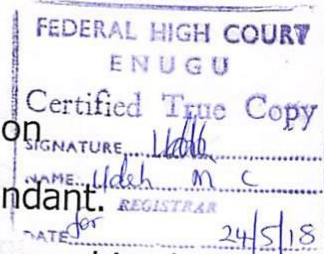
Agbowo - The Accused intends to change his plea.

Ekwu - No objection, I apply that the charge be read and explained to the Accused person.

Court Registrar - Afirm to Interpret the charge to the Accused person.

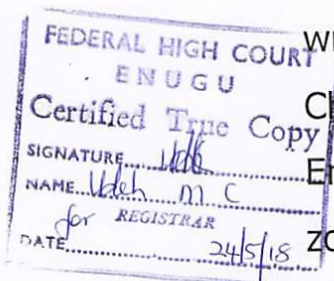
Court - Do you understand the charge?.

Accused - Yes.



- Court - Are you guilty or not?
- Accused - I am guilty.
- Ekwu - May I review the facts of the case. We have a witness in Court.
- Registrar - The witness has Affirmed
- Ekwu - Tell the court your name and where you work.
- PW1 - My name is Muzzanbily Nuhu Inuwa, I work with EFCC Enugu Zonal Office.

On 8th September, 2015 we received a transfer letter from Nigerian Customs Service Enugu, Anambra and Ebonyi Area Command written and signed by CSC Abu P.A Officer in Charge of Akanu Ibiam International Airport Enugu. The letter was addressed to the zonal Head EFCC South East Zone, Enugu, the Accused person was arrested by the presidential task force committee on transporting cash/movement when he was



about to travel to Dubai for business. He declared the sum of \$45,000 instead of \$45,100. On receipt of the transfer letter the case was assigned to the Intelligence unit for discreet investigation.

The statement of the Accused person were recorded under the word of caution we recovered the sum of \$45,100 US Dollars from the Accused person.

Ekwu - What other document did you recover.

PW1 - We recovered two International passports, Nigeria cash currency, declaration form, two Ethiopian Airline Boarding Passes all the Exhibits were registered with exhibit keeper for safe keeping.



The team of operatives travelled to Onitsha in Anambra for investigation activities. Investigation revealed that the Accused person is a genuine businessman. He is selling plumbing materials in his shop.

Ekwu - I apply to show him the exhibits for identification.

Ekwu - Is that the sum of \$45,100.

PW1 - Yes.

Ekwu - Is that the transfer letter.

PW1 - Yes.

Ekwu - Is that the Defendant's statement to EFCC.

PW1 - Yes.

Ekwu - Are those the two international passports.

PW1 - Yes.

PW1 - Is that the Nigerian currency declaration form.

PW1 - Yes.

Ekwu - Is that the two Ethiopian Airline boarding passes.

PW1 - Yes.

Ekwu - I apply to tender the said exhibits.

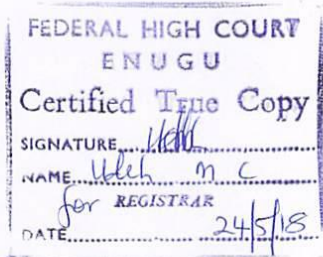
Agbowo - No objection.


Court - The items tendered are hereby admitted in evidence and marked as exhibits US 1 -6.



Ekwu - May I apply that the witness be discharged and the Accused be convicted.

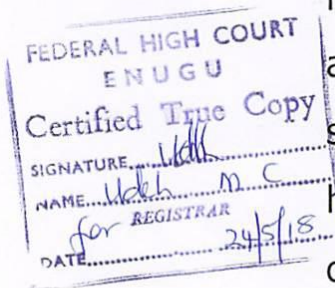
Court - I have considered the evidence before the court and the plea of guilty entered by the Accused and I am satisfied that the prosecution has proved its case beyond reasonable doubt. In this regard, the Accused is hereby found guilty and accordingly convicted.




M.N. YUNUSA
 Judge
 21/04/2016.

ALLOCUTUS

Agbowo - On the 15th of February, 2016 the Defendant was arraigned and he pleaded not guilty subsequently, after the said date we consulted with the Defendant and reviewed the circumstance of the case, the defendant being a young man who is doing genuine business, trading in plumbing materials has established a business relationship with foreign partners in Dubai, and has also established a trust with his suppliers and they offered a line credit to him. He is able to buy goods on credit and pay back to his creditors after sale.



The sum of \$45, 100 that was found on him at the Airport enroute to Dubai was creditors money and in error he declared only \$45,000 and forgot to declare the \$100 that was in his wallet that was how he ended up with EFCC and eventually charged before this court.

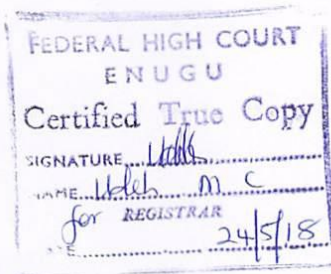
In the course of the investigation by EFCC and the testimony of witness in court they acknowledged that he is a genuine business man. Since this incidence his foreign partners have been putting pressure on him they are beginning to form the opinion that he is one of those Nigerians who dupe foreigners. In that circumstance, we decided that we should apply to EFCC for plea bargain. Under Section 270 of the Administration of Criminal Justice Act 2015. EFCC reviewed his case and agreed with us, that this is a case that fall within the said section 270. We have reduced our agreement into writing and filed it in this court it is dated 12th March, 2016 both parties have signed it.

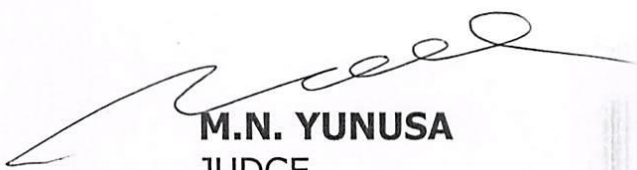
We are pleading with the court to tamper justice with mercy and allow us to adopt this agreement as our agreement and ask the court to sentence the Accused in line with the terms of the Application I hereby adopt the agreement.



Ekwu, I adopt the said plea Bargain Agreement dated 10th March, 2016.

Court: The said plea Bargain Agreement entered and duly executed by the parties is hereby entered as the Judgment of this Honourable Court.




M.N. YUNUSA
JUDGE
21/04/2016.

Agbowo - We are grateful we wish to apply that the sum of N45.000 US dollars, two international passport and two Ethiopia Airlines boarding passes be released to the Accused.

Court - The Application is granted as prayed.

