

**HOLDEN AT ENUGU
BEFORE HIS LORDSHIP HON. JUSTICE A.A NWOBODO
ON WEDNESDAY THE 28TH DAY OF SEPTEMBER, 2016.**

E/154C/2015

Federal Republic of Nigeria
Vs.

Augustine Uche & Anor

Parties: Accused persons are present

Appearances: S.M.H. Ibekwute for prosecution, E.O. Isiwu for the 1st accused person, S.C. Udemezue with Edmond Ukoh for the 2nd accused person.

Mr. Isiwu the counsel for the 1st accused person states as follows: "The 1st accused person having considered the circumstances of the case and his experience in the EFCC custody and prison custody wishes to change his plea from that of Not Guilty to a plea of Guilty.

Court: Mr. Uzor, what do you say

Mr. Uzor: I confirm what my counsel has just told the court

Mr. Ibekwute: In view of the sudden change of mind by the 1st accused person to plead guilty to the charge, I wish to withdraw counts 1, 2, 3, 4, 9 and 10 against the 1st accused person.

Court: Order as prayed.

The remaining charges are read to the 1st accused again.

Count 5 is read and explained to him in English language

Plea: Guilty

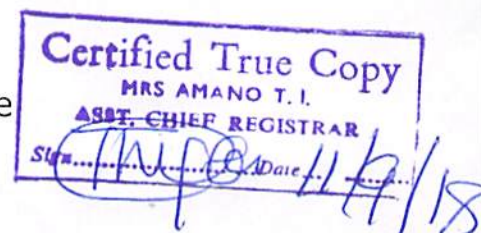
Count 6 is read and explained to him in English language

Plea: Guilty

Count 7 is read and explained to him in English language

Plea: Guilty

Count 8 is read and explained to him in English language





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Plea: Guilty

Count 11 is read and explained to him in English language

Plea: Guilty

Count 12 is read and explained to him in English language

Plea: Guilty

Count 13 is read and explained to him in English language

Plea: Guilty

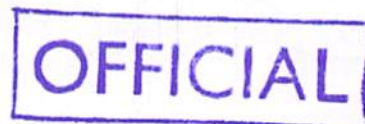
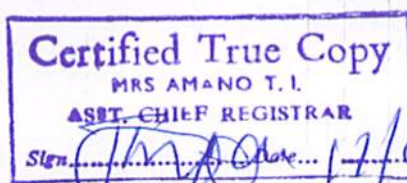
The same charges were read to the 2nd accused in English language and he mentioned his plea of Not Guilty.

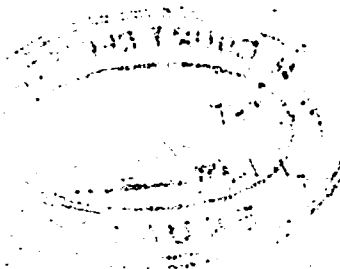
Mr. Ibekwute states that the points of the facts are as follows:

The 1st accused was part of a conspiracy to steal the sum of N10,200,000=the property of Access Bank Plc. In order to accomplish that, he connived with the 2nd accused person. The money sought to be stolen was domiciled in A/C No: 0060045452 in the name of Nneoma Orji. The accused persons changed the mandate on the said account. They also conspired and forged a mobile banking request form of the said Nneoma Orji's account No: 0060045452. They also changed the phone number in the mandate from 07034476601 to 09035322066 and the email address nnonygirl@yahoo.com to armanizyo@gmail.com. So that the mobile alert go to their own phone number instead of Nneoma Orji's phone number.

They also forged SMS request form to the said account. The inside job was done by the 2nd accused person.

Having accomplished this, the sum of N10,200,000= was moved from account number 0060045452 to A/c No: 0057712879. This was perfected through the mobile channel falsely requested from the Bank by the accused persons.





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The accused persons attempted to move the sum of N3,000,000 in the A/c No: 0057712879. It was at the point of presenting the withdrawal teller that the Bank became suspicious of the transactions in the account. There were withdrawals of several tranches of N200,000= from the account. That is how the bank discovered the fraud. He urges the court to convict the 1st accused person accordingly.

Court: The 1st accused person hereby found guilty of the charges proffered against his pursuant to his plea of guilt.

Mr. Isiwu in Allocutus: We appeal to the court to temper justice with mercy. The convict is a first time offender. The convict has not been convicted of any pervious offence. He has shown remorse for his action. He is now a born again Christian. Urges the court to impose a fine instead of imprisonment pursuant 390 (1) C.P.L.

Court: The 1st accused person is hereby sentenced as follows

Count 5- 15 months imprisonment with hard labour

Count 6 - 15 months imprisonment with hard labour

Count 7- 15 months imprisonment with hard labour

Count 8- 15 months imprisonment with hard labour

Count 11- 12 months imprisonment with hard labour

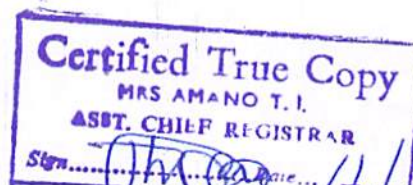
Count 12- 12 months imprisonment with hard labour

Count 13- 12 months imprisonment with hard labour

All the sentences are to run concurrently.

The case is adjourned to 4th October for commence of the trial of the 2nd accused person.

Signed
Judge
28/9/2016



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Read and found correct

~~At~~ Senior Registrar

~~Mr. A. H.~~

5/9/2018

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