

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE AWKA JUDICIAL DIVISION
HOLDEN AT AWKA
ON MONDAY THE 13TH DAY OF NOVEMBER 2017
BEFORE THE HONOURABLE JUSTICE I.N. OWEIBO
JUDGE

CHARGE NO:FHC/AWK/61C/2017

BETWEEN:

THE FEDERAL REPUBLIC OF NIGERIA

..... COMPLAINTANT

AND

IFEANYI ONWUAKPA

..... DEFENDANT

Defendant is in court

P.G. Eshua Esq for the Prosecution.

A.A. Ogbonna Esq for the defendant (with him Martin Obi)

Court: The case is for presentation of facts.

Mr. Eshua: The facts are as contained in the charge before the court dated and filed on 29/6/17. In further proof of the prosecution's case we have the 50.4 grams of Cannabis Sativa (minus the 5 grams extracted for Forensic analysis) recovered from the defendant. We equally have the Certificate of Test Analysis, the Packing of Substance Form, Request for Scientific Aid Form, Drug Analysis Report from the Forensic Experts, we have the 5 grams that was sent to the forensic laboratory. Statement of the defendant dated 23/6/17. We tender them in evidence.

Mr. Ogbonna: No objection

Court: 45.4 grams of Cannabis Sativa is admitted as Exhibit A. The 5 grams of Cannabis Sativa is A1. Certificate of test Analysis, Packing of Substance Form, Request for Scientific Aid Form, Drug Analysis report dated 18/7/17 and the statement of the defendant of defendant dated 23/06/17 are admitted in evidence and marked Exhibits B,C,D,E and F respectively.

Mr. Eshua: In view of the Exhibits before the court, it is our further prayer that the defendant be convicted.

Court to defendant: Do you dispute the facts presented

Defendant: No.

Court: Considering the facts before the court and the exhibits presented by the prosecution and the response of the defendant I am satisfied that the defendant intends

to admit all the elements of the offence with which he is charged. I therefore find him guilty of the offence of knowingly being in possession of 50.4grams of Cannabis Sativa without lawful authority punishable under section 19 of the NDLEA Act and hereby convict accordingly.

Allocutus:

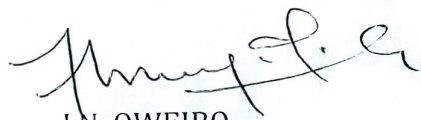
Mr. Ogbonna: We pray the court to temper justice with mercy. The defendant is a first offender and he is remorseful of his actions. He is a newly married man.

Previous record: Nil.

Sentence-

In passing this sentence I have considered the plea of counsel on behalf of the defendant; the fact that he is a first offender and that he has not wasted the time of the court. I have also considered the prevalence of this offence in this State and believe that some form of punishment will act as a deterrent.

I accordingly sentence you Ifeanyi Onwuakpa to a term of imprisonment for 3 years commencing from 23/6/2017.



I.N. OWEIBO

JUDGE

13/11/2017