

**IN THE HIGH COURT OF JUSTICE  
OYO STATE OF NIGERIA  
IN THE IBADAN JUDICIAL DIVISION  
HOLDEN AT IBADAN**

**BEFORE THE HONOURABLE JUSTICE A.L. AKINTOLA – JUDGE  
DELIVERED ON MONDAY THE 27<sup>TH</sup> DAY OF MAY, 2019**

**SUIT NO. I/06EFCC/2019**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA ..... PROSECUTOR**

**A N D**

**ADEYEMI DAMILARE ..... DEFENDANT**

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The Defendant is present.

Dr. B. Ubi Esq. with F.O. Ojo Esq. and

I.O. Daramola Esq. appear for the Prosecution

Oluwole Adeosun Esq. appears for the Defendant.

**J U D G M E N T**

Dr. Ubi says there is a pending amended information dated 23<sup>rd</sup> May, 2019 but filed on 24<sup>th</sup> May, 2019 in this case. There is also a plea bargain agreement which was filed today the 27<sup>th</sup> May, 2019.

The Defendant will be arraigned on the strength of the amended information.

The Defendant elected that the information (amended) be read over to him in English Language which the Court obliged and when he seemed perfectly to understand same before his plea to each of the eight counts was taken and recorded.

COUNT 1

The Defendant pleaded guilty

COUNT 2

The Defendant pleaded guilty

## COUNT 3

The Defendant pleaded guilty

## COUNT 4.

The Defendant pleaded guilty

## COUNT 5

The Defendant pleaded guilty

## COUNT 6

The Defendant pleaded guilty

## COUNT 7

The Defendant pleaded guilty

## COUNT 8

The Defendant pleaded guilty

In anticipation of the amended information being filed to which the Defendant pleaded guilty to all the counts, the Defendant had entered into a plea bargain agreement with the Prosecution and in furtherance filed a plea bargain agreement pursuant to S. 269 of the ACJA, 2015. The following terms of the plea bargain agreement shall now be entered as the judgment of this Court in this case.

The plea bargain agreement made on 24<sup>th</sup> May, 2019 between the Prosecution and the Defendant provides:

WHEREAS the Prosecution had filed an eight Count information for the offences of obtaining goods under false pretence contrary to S.1(2) of the advance fee fraud and other fraud related offences Act, 2006 and punishable under S. 1(3) of the same Act, against the Defendant, the Defendant has approached the Prosecution to plea bargain the aforesaid charge.

WHEREAS the Defendant has offered to retribute and has indeed restituted through the Federal Republic of Nigeria to the Victims the sum of U.S D \$1,000.00

(One Thousand United States of America Dollars) only, being benefits he derived from his fraudulent acts which offer the Prosecution accepts.

WHEREAS before the conclusion of this agreement, the Defendant was informed as follows:

- (a) That he has the right to remain silent.
- (b) of the consequences of not remaining silent and
- (c) That he is not obliged to make any confession or admission that could be used in evidence against him.

WHEREAS the Defendant in the course of investigations voluntarily confessed to have committed the fraudulent acts against his victims.

NOW IT IS HEREBY AGREED AS FOLLOWS:

1. That the Defendant has agreed to make restitution and has indeed restituted through the Federal Republic of Nigeria to the victims the sum of U.S.D \$1,000.00 (One Thousand United States of America Dollars) only being the benefits he derived from his fraudulent acts.
2. He is also to forfeit the following assets to the Federal Government of Nigeria.
  - (a) Toyota Camry 2006 Model Saloon Car with identification No. KRD 841 EL.
  - (b) Engine No.: 2AZ7216217.
  - (c) Chassis No. 4T1BE32K62U600345.
  - (d) One Fifty Inches LG LCD Television
  - (e) One Apple MacBook Pro

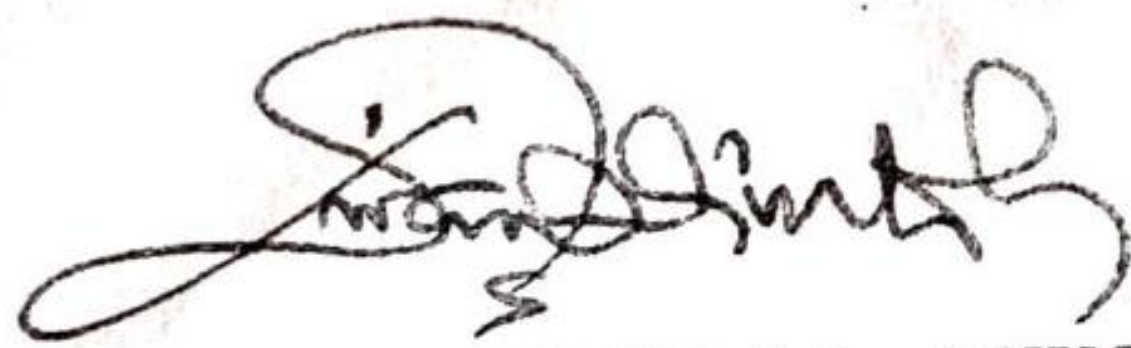
(f) One iphone XS Max.

3. That the eight counts information of obtaining goods made false pretence contrary to S. 1(2) of the Advance Fee fraud and other fraud Related Offences Act, 2006 and punishable under S. 1(3) of the same Act, filed against the Defendant should all be amended to eight counts information of the same counts but under the Criminal Code Cap. C.38, Laws of Oyo State of Nigeria, 2004.
4. That the Defendant shall plead guilty to the amended information.
5. That the Honourable Court considers a custodial sentence of Five (5) months with effect from the date of arrest being 8<sup>th</sup> March, 2019.

The above terms were executed by Dr. B. Ubi on behalf of the Prosecution, and signed by Abdullahi Mohammed of EFCC, Ibadan as Investigator. The same was also signed by the Defendant personally and one S.S. Akingbade who signed as Counsel to the Defendant.

The foregoing shall be and is the judgment of this Court in this case.

For avoidance of doubt, the Defendant having pleaded guilty to all the 8 Counts of the information and having gone further to enter into a plea bargain agreement with the Prosecution, is hereby sentenced to Five (5) Months Imprisonment which terms is deemed to have begun on 8<sup>th</sup> March, 2019, the date of his arrest and remand in custody.



HON. JUSTICE A.L. AKINTOLA  
JUDGE  
27/05/2019