

EXH. 1.

IN THE HIGH COURT OF JUSTICE OF KATSINA STATE
IN THE KATSINA JUDICIAL DIVISION
HOLDEN AT KATSINA

CHARGE NO: KHT/29c/2020

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

1. MRS. MARIA ADAUDO NNAJI
2. DAHIRU ABDULLAHI KIRA
3. ELDER PETER ONUH (AKA DEACAN PETER ONUH).....DEFENDANTS

AMENDED CHARGE

COUNT ONE:

That you MRS. MARIA ADAUDO NNAJI sometimes in 2018 at Katsina within the jurisdiction of the High Court of Katsina State dishonestly converted to your own use certain property to wit the sum of N17, 028, 456.62 (Seventeen Million Twenty-Eight Thousand Four Hundred and Fifty-Six Naira, Sixty-two Kobo) belonging to the *Estate of Nnaji Okafor Linus Anigozie* and thereby committed an offence under Section 308 of the Penal Code Law and punishable under Section 309 of the same Law.

COUNT TWO:

That you MRS. MARIA ADAUDO NNAJI sometime in 2018 at Katsina within the jurisdiction of the High Court of Katsina State with intent to defraud forged a document titled Medical Certificate Cause of Death for one *Linus Nnaji* purported to have been issued by the General Hospital Katsina and thereby committed an offence contrary to Section 363 and punishable under Section 364 of the Penal Code Law.

COUNT THREE:

That you MRS. MARIA ADAUDO NNAJI sometime in 2018 at Katsina within the jurisdiction of the High Court of Katsina State fraudulently used as genuine a forged document titled Medical Certificate Cause of Death for one *Linus Nnaji* purported to

have been issued by the General Hospital Katsina and thereby committed an offence contrary to Section 366 and punishable under Section 364 of the Penal Code Law.

COUNT FOUR:

That you DAHIRU ABDULLAHI KIRA sometime in 2018 at Katsina within the jurisdiction of the High Court of Katsina State had acquired the sum of N1, 500, 000.00 (One Million Five Hundred Thousand Naira only) which funds you knew formed part of the proceeds of criminal conduct of Mrs. Maria Adaudu Nnaji and you thereby committed an offence punishable under Section 17 (b) of the Economic and Financial Crimes Commission (Establishment) Act, 2004.

COUNT FIVE:

That you Deacan Peter Onuh (AKA Elder Peter Onuh) sometime in 2017 at Katsina within the jurisdiction of the High Court of Katsina State with intent to support a claim did make a false document titled "AFFIDAVIT FOR NOMINATION /DECLARATION OF NNAJI MARIA ADAUDO AND DAVID ANAYOCUKWU AS NEXT OF KIN OF LATE LINUS OKAFOR ANAGOZIE NNAJI" and thereby committed an offence contrary to Section 363 and punishable under Section 364 of the Penal Code Law.

Dated this 14th day of April, 2022



Salihu Sani Esq.

Aisha A.T Habib, Esq.

Salihu Sani Esq. ✓

Legal and Prosecution Dept.

Economic and Financial Crimes Commission

No 2, Hajj Camp Road, Kano

FOR SERVICE ON:

The Defendants:

1st Defendant

C/o Her Counsel

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1. MRS. MARIA ADAUDO NNAJI
2. DAHIRU ABDULLAHI KIRA
3. ELDER PETER ONUH (AKA DEACAN PETER ONUH).....DEFENDANTS

LIST OF WITNESSES AND SUMMARY OF EVIDENCE

1. Investigating Officers:

- a. Detective Oshodi Johnson
- b. Detective Ani Davis Stanley
- c. Detective Alhassan Gambo
- d. Detective Umunna Nneka
- e. Detective Madozie Micheal
- f. Detective Joel Rimanyang Joel
- g. Detective Aliyu Mohammed
- h. Detective Peter Akpan
- i. Detective Jingi Ahmed
- j. Detective Haruna Auwal

SUMMARY OF EVIDENCE:

To state that they were directed to investigate the case after the Commission received a written complaint from O.J. Omeje Esq. for the Administrator General/Public Trustee, Ministry of Justice, Enugu State. That during the course

of investigation they took voluntary statements of the complainants and Defendants. Letters of investigation activities were sent to the High Court of Justice, Katsina State, National Bureau of Statistics, Guaranty Trust Bank, First City Monument Pensions Limited (Formerly Legacy Pension) and General Hospital Katsina. Responses were also received from the above-mentioned institutions as it relates to the investigation in question. These responses were analysed where it was discovered that the 1st Defendant having knowledge that the estate of Late Chief *Nnaji Okafor Linus Anigozie* was surrendered to the Administrator General/Public Trustee, Ministry of Justice, Enugu State and Letters of Administration of the said Estate issued thereof on the 14th January, 2016, went to Katsina and with the assistance of the 2nd & 3rd Defendants obtained another Letters of Administration dated 14th February, 2018 from the High Court of Justice, Katsina State without the knowledge and consent of the Administrator General/Public Trustee Ministry of Justice, Enugu State and other beneficiaries/heirs to the estate. That the 1st Defendant used the Letters of Administration from the High Court of Justice of Katsina State to be paid the death benefits, pension and gratuity of Late Chief *Nnaji Okafor Linus Anigozie* in the sum of N17, 028, 456.62 (Seventeen Million Twenty-Eight Thousand Four Hundred and Fifty-Six Naira, sixty-two kobo) which she dishonestly misappropriated to her own use. That the Medical Certificate Cause of Death purportedly issued by the General Hospital, Katsina has turned out to be forged as the General Hospital, Katsina denied that it emanated from the Hospital. That the said Medical certificate was procured by the defendants as part of the documents submitted to the High Court of Justice of Katsina for the issuance of the second Letters of Administration. To further state the role played by the 3rd defendant making a false affidavit at the High of Justice Katsina State. The responses from various institutions would be tendered through them.

2. Other Witnesses:

a. *OMEJE ONYEBUCHI JOHN (Nominal complainant)*

SUMMARY OF EVIDENCE

To state that he is a Legal Practitioner with the Administrator General/Public Trustee, Ministry of Justice, Enugu State, that sometime in 2015, the estate of Late

Nnaji Okafor Linus Anigozie was surrendered to the Administrator General/Public Trustee by his son David Anayochukwu Nnaji. That after several meetings and interviews with the beneficiaries of the estate, the Administrator General/Public Trustee was granted Letters of Administration by the probate registry of the High Court of Enugu State for the management of the real and personal properties of the Late Chief Nnaji Okafor Linus Anigozie. That Letters of Administration were handed over to the 1st Defendant to enable her process the death benefits of the deceased at the National Bureau of Statistics, Katsina. However, the 1st defendant fraudulently obtained another Letters of Administration from the High Court of Katsina State which she used and got paid the sum of N17, 028, 456.62 (Seventeen Million Twenty-Eight Thousand Four Hundred and Fifty-Six Naira, sixty-two kobo) into her personal bank account with Guaranty Trust Bank and subsequently misappropriated the said sum thereby denying other beneficiaries to the estate.

b. NNAJI DAVID ANAYO (Nominal Complainant)

SUMMARY OF EVIDENCE

To state that he is the first son of Late Nnaji Okafor Linus Anigozie. That his father died on the 21st January, 2015 at Enugu State University Teaching Hospital Parklane, Enugu and was buried on the 9th April, 2015 at his hometown Amaguiyogwe, Ubahu, Nkanu East Local Government Area of Enugu State. That their father left behind six children from three different women whom he married and lived with at different times. That after the death of the father he has surrendered the estate of the deceased to the Administrator General/Public Trustee, Ministry of Justice, Enugu State sometime in 2015 for equitable distribution the beneficiaries. That sometime in 2018 he logged into pension's platform and noticed that his father's gratuity was paid to the 1st defendant's personal account without the knowledge of the Administrator General/Public Trustee, Ministry of Justice Enugu State. That it was later discovered that the 1st defendant fraudulently obtained another Letters of Administration which she used and got paid the sum of N17, 028, 456.62 (Seventeen Million Twenty-Eight Thousand Four Hundred and Fifty-Six Naira, Sixty-two kobo). That she misappropriated the said sum to her own use alone without given anything to the other beneficiaries.