

IN THE HIGH COURT OF JUSTICE OF KWARA STATE
IN THE ILORIN JUDICIAL DIVISION
HOLDEN AT ILORIN

SUIT NO: KWS/68^c/2021

BEFORE HIS LORDSHIP: HONOURABLE JUSTICE .M. ABDULGAFAR

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

JOSHUA OGIZIEN.....DEFENDANT

JUDGMENT

1. The defendant was arraigned before this court on a one count charge alleging as follows:

CHARGE

That you, Joshua Ogizien sometime in the month of March, 2021 or thereabout at Ilorin, Kwara State within the jurisdiction of this Honorable Court did knowingly had under your control N79,000 (Seventy Nine Thousand Naira only) in your GT Bank Account: 0233535268, the money you knew to be unlawfully obtained and thereby committed an offence contrary to and punishable under section 319A of the Penal Code.

2. It is the evidence of Det. Musa Mohammed Sanni that follows intel received by his commission on 3rd May 2021 regarding the activities of internet fraudster in Ilorin Metropolis, his team

was detailed to investigate. It is also the evidence of Pw1 this team arrested the defendant on 04/05/21 and found him with an HP lap top, I phone 11 and an apple watch.

It is the evidence of Pw1 that on analyzing the defendants devices with the details he supplied when he completed the attestation forms, it was discovered that he was engaging in internet scam.

3. It is the evidence of Pw1 that defendant admitted to the committing the offence alleged in the statement he made to him and also endorsed on every page of the fraudulent materials printed out from his email account.

Mr. Akoja for the prosecution urged the court to find that the prosecution has from the evidence of Pw1, exhibits tendered and the guilty plea of the defendant, established the case against the defendant.

Mrs. Aminat Megida had nothing to urge in favour of the defendant.

4. I have considered the evidence of Pw1 and exhibits 1-7 and find as a fact that the prosecution has established the case against the defendant beyond reasonable doubt.

I convict you Joshua Ogizien of knowingly having in your control the sum of N19,000, money obtained unlawfully contrary to section 319A of the penal code law.



Hon. Justice M. Abdulgafar

Judge

23/08/21

Appearances

Andrew Akoja for Prosecution

Mrs. Aminat Megida (M.B. Abdulkabir) for defendant.

SENTENCES

I have considered the plea of Mrs. Magida but I think the prosecution has shown him enough magnanimity by charging him will only having control of proceeds of fraud when he admitted to much more in his statement.

I sentence you Joshua Ogizien to a term of one year at Mandala correctional Center.

The sentence is hereby suspended under the supervision of ASC Azeez Towoju of Non Custodian Unit of Nigeria Correctional Service, Ilorin. Exhibit 1, 2, 3, 4 and 8 are forfeited to Federal Government of Nigeria.



Hon. Justice M. Abdulgafar

Judge

23/08/21