

**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE SOKOTO JUDICIAL DIVISION**  
**HOLDEN AT SOKOTO**  
**ON MONDAY THE 26<sup>TH</sup> DAY OF SEPTEMBER, 2022**  
**BEFORE HIS LORDSHIP THE HONOURABLE JUSTICE AHMAD G.**  
**MAHMUD**  
**(JUDGE)**

SUIT NO: FHC/S/37<sup>C</sup>/2022

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA ..... APPLICANT

AND

HUSSAINI GARBA SURU ..... DEFENDANT

**JUDGMENT**

Considering the plea of guilty entered by the Defendant to the one count amended charge couple with the evidence of PWI alongside exhibits A,B & C – C3 respectively which proved to the court that the Defendant committed the offence alleged, this court so finds the Defendant guilty of the charged and he is accordingly convicted as charged in line with section 274 (2) of the Administrative of Criminal Justice Act, 2015.

**ALLOCUTUS**

**Abdullahi Esq.** – We will like to appeal on behalf of the convict for allocutus. He is 24 years of age. He obtained a diploma Certificate from Kebbi State University and the convict currently applying for a degree program at the Kebbi State University of Science and Technology Alero, Kebbi State. He is sincerely remorseful for the offence he committed. He had some legitimate business to compensate the nominal complainant. He has already paid ₦950,000.00. Considering the fact that the convict did not waste the time of this court, we humbly seek for leniency and magnanimity sentence for him to be useful to the

CERTIFIED TRUE COPY  
DRU S.A.  
SENIOR REGISTRAR  
FEDERAL HIGH COURT, SOKOTO  
DATE 1-3-2023

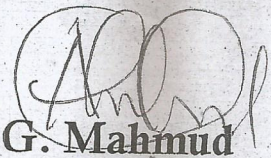


society. I humbly ask the court to consider option of fine instead of imprisonment.

**Uduak Esq.** – The convict has no previous conviction. However, I pray that in addition to any sentence the convict should be made to pay the balance of ₦179,000 .00 to the victim.

### SENTENCE

In sentencing the convict, I have given due consideration to the plea of allocatus made by the Learned Counsel to the convict and all mitigation circumstances mentioned therein. Similarly, I have considered the provision of section 311 and 416 if the Administrative of Criminal Justice Act, 2015 and Section 22 (2) b of the Cybercrime (Prohibition & Prevention) Act, 2015. This court hereby sentences the convict to 3 years imprisonment with an option of ₦200,000 .00 fine. The court also order the convict to refund the remaining Balance of ₦179,000 .00 to the nominal complainant. The payment should be made through the EFCC, the receipt of which should be shown to the court Station Registrar. The convict should deposed to an affidavit of undertaking to be of good conduct, character and productive to the society.

  
**A. G. Mahmud**  
Judge  
26/09/2022

#### Appearances

**Kufre Ekpenyong Uduak Esq.** – for the Prosecution

**Abdulqahar Abdullahi Esq.** for the Defendant

EXHIBITED TRUE COPY  
IDRIJ S-A  
SENIOR REGISTRAR  
FEDERAL HIGH COURT, SOKOTO  
DATE 13-2023