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

SUIT NO: KWS/15^C/ 2021

ON TUESDAY 16TH DAY OF FEBRUARY, 2021

BEFORE HIS LORDSHIP: HONOURABLE JUSTICE .M. ABDULGAFAR

BETWEEN;

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

OLADIMEJI ADELEYE.....DEFENDANT

JUDGMENT

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

COUNT ONE

That you, **OLADIMEJI ADELEYE (a.k.a. Essex Tanya)** sometimes in December, 2020 at Ilorin, within the judicial division of the Kwara State High Court, did cheat by personation, when you fraudulently pretended to be a white female named **Essex Tanya** vide essexanya9@gmail.com and in that deception induced one **Stuart Foote** vide Gmail hangout to part with the sum of **\$800** (Eight Hundred United States Dollars) and thereby committed an offence contrary to Section 321 of the Penal Code and punishable under Section 324 of the same Code.

COUNT TWO

That you, **OLADIMEJI ADELEYE (a.k.a. Essex Tanya)** sometimes in December, 2020 at Ilorin, within the judicial division of the Kwara State High Court, did attempt to cheat one **Stuart Foote** vide Gmail hangout when you induced him to part with the sum of **\$700** (Seven Hundred United States Dollars) by pretended to be one a white female named **Essex Tanya** vide essexanya9@gmail.com and thereby

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committed an offence contrary to Section 95 of the Penal Code and punishable under Section 322 of the same Penal Code.

2. The prosecution called Salaudeen Abdulrasaq as its only witness.

It is the evidence of Pw1 that the EFCC, Ilorin Zonal Office received a petition vide an email in respect of the activities of Internet fraudsters in Ilorin on the 5th day of January, 2021.

It is also the evidence of Pw1 that the petition was assigned to his team for investigation. It is the further evidence of Pw1 that following a raid conducted by his team, the defendant was arrested on 13/01/21 and taken to EFCC office where he completed the computer/phone attestation forms in which he supplied his device details and email addresses.

3. Pw1 states that on analyzing the HP Pc found on the defendant it was discovered that he was using the email address of esextanyaa@gmail.com to exchange mail with stuart foote pretending to be a white female Essex Tanya and induced him to part with \$700 and \$800 dollars respectively. Pw1 further states that the defendant made confessional statement where he admitted committing the offences and signed on each page of the fraudulent documents printed out from his email accounts.

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4. Pw1 also states that investigation reveals that the defendant's real name is Oladimeji Adeleye contrary to his alias of Essex Tanya. Pw1 admitted under cross examination by the defence counsel that the defendant is not a serial internet fraud offender.

Pw1 also admitted that the defendant is presently a student of Kwara State Polytechnic.

5. O.B. Akinsola, esq. in her address urged the court to hold that from the evidence of Pw1, and the plea of the defendant, the prosecution has established the case against the defendant beyond reasonable doubt and the court should convict him accordingly.

Mr. Iyanda for the defence had nothing to argue in favour of the defendant.

6. I have considered the evidence of Pw1 and the statement of the defendant to EFCC as well as his guilty plea and I am satisfied that the prosecution has established the guilt of the defendant beyond reasonable doubt.

Consequently, I convict you Oladimeji Adeleye of cheating by personation when you induced Stuart Foote to part with the sum of \$800 on the pretext that you are a white female contrary to section 95 of the penal code law.

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I also convict you Oladimeji Adeleye of attempting to cheat by personation when you pretended to be a white female and induced him to deliver the sum of \$700 to you.

SENTENCE

I sentence you Oladimeji Adeleye to 3 months term at the custodial center mandala.

I also sentence you Oladimeji Adeleye to 3 months term at the custodial center mandala. Both sentence to run concurrently and take effect from 13th day of January 2021.

The H P Pc and the draft is forfeited to Federal Government of Nigeria.

Appearance

O.B Akinsola for the prosecution

I.K Iyanda for the defendant

C-7-C - N500.00

5000
11/1/2023

[Signature]

Hon. Justice M. AbdulGafar

Judge

16/02/2021

Certified by me
Salman Magan O.
Asst chief clerical officer
High Court of Justice, Ilorin.



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