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**IN THE HIGH COURT OF JUSTICE OF KWARA STATE  
IN THE ILORIN JUDICIAL DIVISION  
HOLDEN AT ILORIN  
SUIT NO: KWJ/58<sup>c</sup>/2021**

**ON TUESDAY 27<sup>th</sup> DAY OF JULY, 2021**

**BEFORE HIS LORDSHIP, HONOURABLE JUSTICE .M. ABDULGAFAR**

***BETWEEN:***

**FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT**

**AND**

**IDOWU RASAQ OLAREWAJU.....DEFENDANT**

**JUDGMENT**

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

**COUNT 1**

That you IDOWU RASAQ OLAREWAJU (a.k.a. Nevins naval) between the month of December 2020 and January 2021 or thereabout at Ilorin Kwara State within the jurisdiction of this Honourable Court did knowingly had under your control the sum of \$12,794 US Dollars (Twelve Thousand, Seven Hundred and Ninety four Dollars) in a cash App named Gary Uhi \$Godgrace12378 which you took over from one Gary Uhi, the money you knew to have been unlawfully obtained and thereby committed an offence contrary to and punishable under section 319A of the Penal Code.

After taking the plea of the defendant, the prosecution called Detective Nike Olujobi who testified that following intel received by the Ilorin Zonal Office of EFCC, operations of the

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Commission raided Oyun area, Ilorin and in the process arrested the defendant along with others.

2. It is the evidence of Pw1 that the team accessed the devices found on the defendant using the details he had supplied in the attestation forms and found fraudulent documents in his email which were printed out in his presence and the defendant acknowledge them by signing at the foot of each page of the print out.

It is the evidence of Pw1 that the items recovered from the defendant are a Toyota Venza 2014 model, i phone 11, iphone 6 plus and an Hp Lap top.

3. Pw1 stated that the defendant received \$12,794 on behalf of his friend who defrauded their victim and took 10% of the proceeds.

It is the evidence of Pw1 that they found N440, 414 in the defendants account.

It is also the evidence of Pw1 that the defendant who made statements through his counsel because he is not literate in English approached the EFCC for plea bargain and agreed to forfeit the Venza and the balance in his account.

4. Mr. Adebayo for the prosecution in his address urged the court to find from the evidence of Pw1 the plea bargain agreement

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that the prosecution has established the case against the defendant beyond reasonable doubt.

He then urged the court to convict him.

Mr. Atofarati had nothing to urge in favour of the defendant.

5. I have considered the evidence of Pw1 and held that the prosecution has established the case against the defendant beyond reasonable doubt.

I convict you Idowu Rasaq Olarewaju of knowingly being in control of the sum of \$12,794 being proceeds of crime contrary to section 319 A of the penal code.



**Hon. Justice M. Abdulgafar**

**Judge**

**27/07/21**

### SENTENCE

I have considered the plea of Mr. Abdul and I have also taken into account the detention of the convict between 12<sup>th</sup> July 2021 and today due to the failure of the prosecution to produce the plea bargain agreement and sentence the convict as follow:

I sentence you IDOWU RASAQ OLAREWAJU to a 6 months term at Mandala Correctional Center. The sentence is suspended for 6 months.

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Items (a) - (e) in the plea bargain agreement which are exhibit 1, 2, 3, 4 and 5 respectively are forfeited to the Federal Government of Nigeria.

*Signature*

Hon. Justice M. Abdulgafar  
Judge  
27/07/21

Appearance:

A.A Adebayo for the prosecution

I.O Atofarati for the defendant

C. T. C - ₦ 500.00

*Signature*  
11/11/2023

Certified by me  
Salman Mariani o.  
Asst Chief Clerical officer  
High Court of Justice Ilorin

HIGH COURT OF JUSTICE  
*Signature*  
D:119  
11/11/2023  
ILORIN

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