

IN THE HIGH COURT OF JUSTICE OF KWARA STATE

IN THE ILORIN JUDICIAL DIVISION

HOLDEN AT ILORIN

ON TUESDAY THE 29TH DAY OF AUGUST, 2022

BEFORE HIS LORDSHIP:-HON. JUSTICE I.A. YUSUF.....JUDGE

SUIT NO: KWS/84C/2022

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA

.....COMPLAINANT

AND

OPEYEMI BHADMUS ABDULSAMAD.....DEFENDANT
(Alias: Ashley Davis)

JUDGMENT

The two count of charge leveled against the defendant reads thus:

"COUNT 1

That you, Opeyemi Bhadmus Abdulsamad (Alias: Ashley Davies) sometime between the months of January, 2021 and November, 2021, in Ilorin, within the jurisdiction of this Honourable Court did cheat by personation when you pretended to be Ashley Davis a white female with Gmail Account ashleydavis24434@gmail.com and induced one Jamie York to send the sum of \$2,253 (Two Thousand, Two Hundred and Fifty Three Dollars) to you via Bitcoin and thereby committed an offence contrary to section 321 of the Penal Code and punishable under section 324 of the same Penal Code.

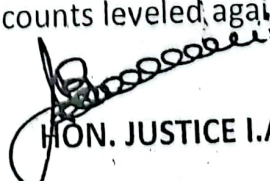
COUNT 2

That you Opeyemi Badmus AbdulSamad, sometime between the months of January, 2022 and April, 2022 at Ilorin, Kwara State within the jurisdiction of this Honourable Court, did knowingly have under your control the sum of N2, 221, 440 (Two Million, Two Hundred and Twenty One Thousand, Four Hundred and Forty Naira) being (sic) paid into your Guaranty Trust Bank Account number 0593873853 reasonably suspected to have been unlawfully obtained and thereby committed an offence contrary to and punishable under section 319A of the Penal Code.

The defendant pleaded guilty to the two counts. The prosecution in proof of its case called one witness who testified as PW1. He stated, in summary, the facts of the case against the defendant. He was not cross examined by the defendant. The application of the prosecution to also convict the defendant based on the strength of evidence of the prosecution witness and his plea of guilt was also not opposed.

The court is satisfied with the evidence of the prosecution witness, and coupled with the plea of guilt made by the defendant, I am satisfied that the defendant can be rightly convicted in law.

The defendant is accordingly convicted on each of the two counts leveled against him.



HON. JUSTICE I.A YUSUF

JUDGE

29/08/2022

CONFIDENTIAL PAGE 01

ALLOCUTUS

Mr. Usman: On behalf of the convict, we plead with the court to temper justice with mercy.

He is a young man of 20 years old and a student of Kwara State Polytechnic. He is remorseful as a first time offender. We urge the court to give him an option of fine. See section 417 (2) (d) and (e) AND section 451 of the Kwara State A.C.J.L., 2018.

Mr. Mbachie: The convict has no criminal record. I leave the issue of sentencing to the discretion of the court.

We apply that exhibits 1, 2, 9 and the sum of N464, 746.00 in the account of convict with GTBank be forfeited to the Federal Government of Nigeria.

Mr. Usman: We have no objection to the order of forfeiture.

CONFIDENTIAL PAGE 02

SENTENCE

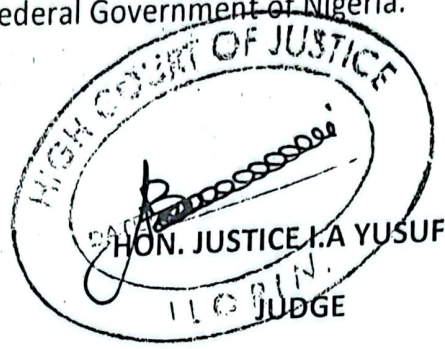
The court has considered the plea of allocutus made by the learned counsel on behalf of the convict and the response of the prosecuting counsel. The court will be lenient to the convict considering his age and his remorsefulness with the hope that he will desist from the crime he was convicted of in the future.

On each of the two counts the convict was convicted, he is sentenced to six months in the Correctional Centre or pay a fine of N100,000.00 on each count.

CONFIDENTIAL PAGE 03

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The two phones recovered from the convict tendered as exhibits 1 and 2, the bank draft in the sum of N150,000.00 (exhibit 9) and the sum of N464, 746,00 in the GTBank account of the convict are to be forfeited to the Federal Government of Nigeria.



29/08/2022

Official

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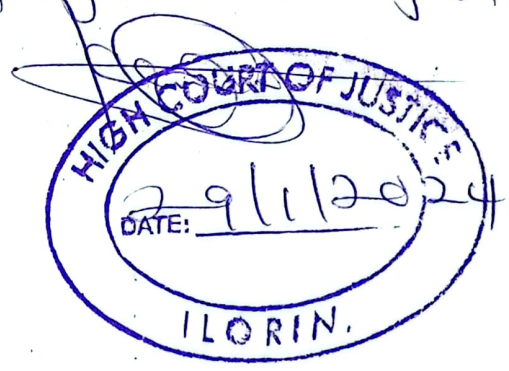
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C.T.C #500

29/11/2024

Certified by me
O. O. Olaniran
Higher Registrar

CERTIFIED TRUE COPY



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