

**IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE CALABAR JUDICIAL DIVISION
HOLDEN AT CALABAR
ON FRIDAY THE 15TH DAY OF OCTOBER 2021
BEFORE HIS LORDSHIP HONOURABLE JUSTICE IJEOMA L. OJUKWU
JUDGE
CHARGE NO: FHC/CA/123C/2021**

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

OKOLO CHRISTOPHER MADUABUCHI - DEFENDANT
(A.K.A CHIMAN ALEX LE)

PROCEEDING/JUDGMENT

Defendant is present in court.

Appearances

J.O. Abolarin for the Prosecution.

Udeme Tom for the Defendant.



Prosecutor: We have a one count charge dated 7th day of October 2021 and filed 15th day of October 2021. The Defendant applied for a plea bargain which has been signed by the parties. We apply that the charge we read to the defendant to take his plea.

Court: The Matter for Arraignment.

The Charge for which the Defendant is standing trial is couched as follows:

"That you OKOLO CHRISTOPHER MADUABUCHI (A.K.A CHIMAN ALEX LE) sometimes in October 2020 in Nigeria within the jurisdiction of this Honourable



CERTIFIED TRUE COPY
FEDERAL HIGH COURT, OGBA
JOYLINE OLUKOTI
SENIOR REGISTRAR I

12/05/2023

Court with intent to obtain property and gain advantage for yourself, fraudulently presented yourself as Chiman Alex Le and defrauded unsuspecting person the total of Seven Hundred Thousand Naira (₦700,000.00) and thereby committed an offence contrary to Section 22(2) (b) (i) of the Cybercrimes (Prohibition, Prevention, etc) Act, 2015 and punishable under Section 22 (2) (b) (iv) of the same Act.

The Charge is read and explained to the Defendant in English language to the satisfaction of the Court and he appears perfectly to understand the Charge and Pleads.

Defendant: I am guilty.

Prosecution: We urge the Court to Convict the Defendant in line with the Plea Bargain Agreement before this Court. It is filed 15th day of October 2021 and entered freely and voluntarily by the parties. His plea is a reflection of the terms and we urge the court to consider and accept the terms of the agreement.

Court to Defendant: Did you voluntarily enter into a plea bargain agreement with the Prosecuting Authority EFCC?

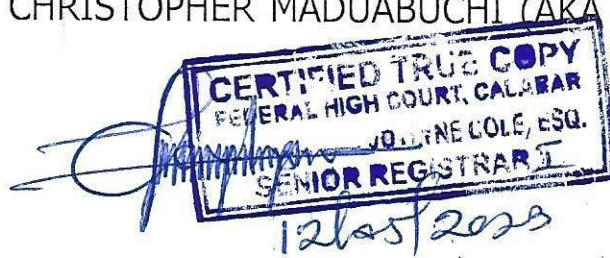
Defendant's Counsel: Yes, my lord. We did. We are not objecting, the defendant freely entered into the agreement.

Defendant: Yes my lord, I voluntarily entered into the agreement.

Court: Having satisfied myself that the Defendant voluntarily entered into a plea Bargain Agreement with the Prosecuting Authority EFCC which was signed by all the parties, and in view of the direct, positive and unequivocal plea of guilt offered by the Defendant, I hereby find the

FEDERAL HIGH COURT
CASHERS OFFICE
DATE: 12-5-2023
[Signature]

Defendant OKOLO CHRISTOPHER MADUABUCHI (AKA Chiman Alex Le) Guilty as charged.



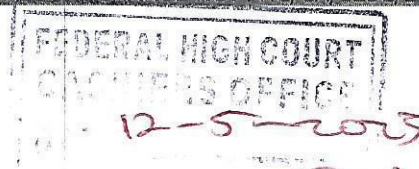
Allocutus:

Counsel: My lord on behalf of the convict, I plead with the court to temper justice with mercy. The Convict pleaded guilty on arrest and has not wasted the time and resources of this court. He is a first time offender. It is unfortunate that his Mother is still frying Akara in their village and it is surprising that he is doing this. It is not as if he has alleviated the hardship of his mother. We are asking that the court temper justice with mercy and exercise its discretion by showing grace to the convict. His mother is so bitterly disappointed and can never support crime. She could not come to court because she has arthritis. His brother in-law is the one who paid the restitution. We so pray the court to be lenient.

Court to Prosecution: Does the Convict have any known criminal record?

Prosecution: None to the best my knowledge. We have received the draft of the restitution ₦700,000.00 (Seven hundred thousand Naira) this morning.

Court: I have heard the allocution of learned counsel Udeme Tom on behalf of the Convict and his entreaty for the Court to impose a non-custodial sentence. I have also taken into consideration the circumstance of this crime and the fact that Convict has no know criminal records, therefore an adjudged first time offender. Being that the court is permitted to go outside the terms agreed by the parties and being that the Prosecuting Authority has made a proposal to the court, I have considered the entirety of the terms and



CERTIFIED TRUE COPY
FEDERAL HIGH COURT, CALABAR
JOYLYNE COLE, ESQ.
SENIOR REGISTRAR

12/5/2023

submissions before me and I therefore sentence the convict as follows in view of Section 270 II (b) of the Administration of Criminal Justice Act.;

1. The Convict **Okolo Christopher Maduabuchi (AKA Chiman Alex Le)** is sentenced to Six (6) months Imprisonment or to a fine of ₦100,000.00 (One Hundred Thousand Naira) only in the alternative.
2. The Convict shall forfeit the instrument of crime to the Federal Government of Nigeria, that is to say; One Oppo AA15s mobile phone, being the instrument used in the commission of the said offence which was recovered in the course of investigation.
3. The Convict shall restitute the sum of Seven Hundred Thousand Naira only (₦700,000.00) to the victim of his crime through the office of the Economic and Financial Crimes Commission being the proceed of crime.
4. That the payment of the restitution above (which has been paid) shall be a condition for the release of the convict from the appropriate Nigerian Correctional Service.
5. The EFCC shall dispose of the above items by public auction and the proceeds paid into Federal Government coffers.
6. That this Plea Bargain agreement is only in relation to the one count charge preferred against the convict and does not extend to any other criminal charges that may be brought against the convict by the Commission.
7. The Convict shall enter into an undertaking to be of good behaviour and refrain from any action that may bring him in conflict with the law.

FEDERAL HIGH COURT
FEDERAL REPUBLIC OF NIGERIA VS OKOLO CHRISTOPHER MADUABUCHI CHARGE NO: FHC/CA/123C/2021

12-5-2023
[Signature]

8. Convict to be remanded at the Correctional Service until the sentence is complied with.

The Court so holds.

HONOURABLE JUSTICE IJEOMA L. OJUKWU
JUDGE
15/10/2021


CERTIFIED TRUE COPY
FEDERAL HIGH COURT, CALABAR
JAYLYNE COLE, ESQ.
SENIOR REGISTRAR
12/05/2023

FEDERAL HIGH COURT
CASHIERS OFFICE
12-5-2023


CC of Record of Proceedings / Judgment - All 90-00
Stamp
in back