

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

SUIT NO: KWJ/99^c/ 2020

ON FRIDAY 4th DAY OF DECEMBER, 2010

BEFORE HIS LORDSHIP, HONOURABLE JUSTICE M. ABDULGAFAR

BETWEEN:

FEDERAL REPUBLIC OF NIGERIACOMPLAINANT

AND

TESLEEM AJAYIDEFENDENT

JUDGMENT

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

COUNT 1

That you, Tesleem Ajayi, (Alias: Alvarado Mall), sometime in the month of July 2020, in Ilorin, within the jurisdiction of this Honorable Court, did cheat by personation, by portraying yourself as a white female named Alvarado Mull via your email address alvaradomullte75@gmail.com to one Danielle Fatai and in that guise induced him to send you &100USD via amazon gift card, a representation you knew to be false and thereby committed an offence contrary to section 324 of the Penal code and punishable under the same section of the Law.

COUNT 2

That you, Tesleem Ajayi, (Alias: Diklu Nariya), sometime in the month of September 2020, in Ilorin, within the jurisdiction of this Honorable Court, did attempt to cheat by personation, by portraying yourself as a white female named Diklu Nariya via your email address dilunariya593@gmail.com to one Harry Trostle in other to induced him to send you his Arvest bank card details, a representation you knew to be false and

thereby committed an offence contrary to section 95 of the Penal code and punishable under section 324 of the same Law.

2. After the plea of the defendant was taken, the prosecution called Enoch Onyedikachi as its only witness. It is the evidence of Pw1 that the EFCC received an anonymous petition about the activities of internet fraudsters at Offa.
3. It is also the evidence of Pw1 that his team conducted a raid at Rondo Area, Offa where the defendant was arrested on 14/09/20 amongst others. Pw1 states that the defendant was found with an iPhone 7 plus which on analysis showed ~~that he was engaged~~ in internet scam.
4. Pw1 further states that investigation revealed that the defendant had created several email accounts with which he defrauded Danielle fatai of \$100 worth of gift card.
Pw1 also stated that the emails were printed out and the defendant endorsed at the foot of each page of the print out after which he volunteered a statement where he admitted committing the offences.
5. After the prosecution tendered exhibit 1 – 5F through Pw1, the prosecution closed its case where upon O. B. Akinsola Esq addressed the court to the effect that the prosecution has established the case against the defendant beyond reasonable doubt in the light of the evidence of Pw1 and exhibits 1-5F taken

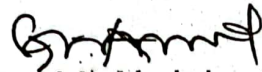
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along with the guilty plea of the defendant. Mr. Hammed for the defendant had nothing to urge in his favour.

6. I find as a fact that the prosecution has established the case against the defendant beyond reasonable doubt.

Consequently, I find for the prosecution and convict you Teslem Ajayi (alias Alvaro mall) of cheating Danielle fatai by inducing her by means of false representation to deliver \$100 gift card to you contrary to section 324 of the Penal code law of Kwara State.

7. I also convict you of attempting to cheat Harry Trostle by false representation that you are a white female to induce him to send you his bank details contrary to sections 95 and 324 of the penal code law.



Hon. Justice M. Abdulgafar

Judge

4/12/20

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Allocutions

Hammed: I urge the court to temper justice with mercy in passing sentence.

The convict is remorseful and is just 23 years old.

He is an asthmatic patient and a first offender.

I refer S. 417 2(b) and (d) in sentencing the convict.

Akoja: The offence for which the convict stands convicted is under S.324 of penal code.

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I leave sentence to the courts discretion.

We have no record of previous conviction.

I urge the court to forfeited exhibit 1 being the instrumentality of the offence.

I urge the court to order the convict to pay restitution of \$100 in favour of Danielle fatai.

Sentence

Although I have listened to the plea of leniency by Mr. Hammed, the fact that the offences for which the convict was charged is still gaining ascendancy makes it imperative the courts do not relent from giving custodia sentence.

I sentence you Teslem Ajayi to 4 months custodial sentence on Count 1 and 2 months custodial sentence. On count 2, both terms to run concurrently.

I direct that the convict pay restitution in the sum of \$100 to Danielle Fatai, the victim of his scam.

I forfeited the I phone 7 plus exhibit 1 to the Federal Government of Nigeria.

[Handwritten signature]

Hon. Justice M. Abdulgafar

Judge

4/12/20

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29/1/2024

Appearance:

O. B. Akinsola Esq., for Prosecution

T.A. Hammed (with Shitta .S. Ahmed) for defendant

C.T.C - H500-00

[Handwritten signature]
29/1/2024

Certified by me
Salimatu Usman
Chief Clerk
[Stamp: FEDERAL COURT OF JUSTICE]
[Signature]
ILOR 29/1/2024