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IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ILORIN JUDICIAL DIVISION
HOLDING AT ILORIN
ON TUESDAY THE 21ST DAY OF MARCH 2022
BEFORE THE HONOURABLE JUSTICE I. M. SANI (JUDGE)
SUIT No: FHC/IL/34C/2022

BETWEEN

FEDERAL GOVERNMENT OF NIGERIA COMPLAINANT

AND

OMILANA AFEEZ OLAMILEKAN DEFENDANT

Court Registrar: Defendant in court and understands
English language.

(Court: Representations?)

~~Andrew Akoja~~ for the prosecution

~~Samuel Olatipupo~~ for the defendant

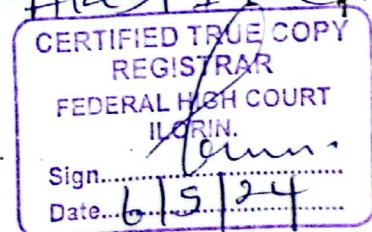
Court: Yes.

Akoja: We have a charge before Your Lordship. However,
there is a document which we are supposed to tender. We must
humbly ask for a stand down to enable us do the needful.

Court: What time?

Akoja: In the next 30 minutes we will be back. I thank My
Lord.

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Court: Alright, 10:30 for arraignment.

Matter earlier stood down

Court: Representations?

Andrew Akoja for the prosecution.

Samuel Oladipopu for the defendant

Akoja: We have 1 count criminal charge before this honorable court dated 9th March 2022 but filed on the 10th March 2022. We humbly apply that the charge with be read that the defendant for his plea.

Court: Yes.

Interpreter: Read the charge to the Defendant

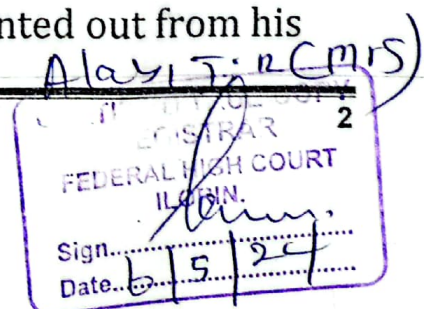
Defendant: Pleded guilty.

Court: Yes??

Akoja: In view of the guilty plea entered by the Defendant, we pray Your Lordship to grant us leave to review the facts from the bar.

Court: Yes.

Akoja: The facts of this case are those contained in the summary of facts filed along with the criminal charge on the 10th of March 2022 which we hereby seek to adopt. At the point of arrest the Defendant was found with one black UMIDIGI android phone, he filled computer/telephone ownership attestation form in respect to this same phone, fraudulent documents were printed out from his



phone which he endorsed and we attach certificate of identification, the Defendant also made four extrajudicial statements where he confessed to the crime and finally, he raised a draft of N200, 000 bank draft with access bank in the name of EFCC. I pray to tender the said phone as well as the other documents in evidence My Lord.

Oladipopu: No objection my lord.

Court: In the absence of any objection, the above listed documents and materials are admitted in evidence and marked as exhibit A, B, C, D, E to E3, F and G respectively.

Akoja: We urge Your Lordship to rely on the unequivocal guilty plea entered by the Defendant, the facts reviewed as well as the exhibit tendered and admitted in finding the Defendant guilty on ~~the count~~. We are grateful my lord.

~~Court:~~ Base on the unequivocal guilty plea of the Defendant, the facts reviewed and the exhibits admitted in evidence. ~~The Defendant~~ OMILANA AFEEZ OLAMILEKAN is hereby found guilty as contained in the charge dated 9th day of March 2022 and is accordingly convicted. Convict yes?

Defendant: I want to tender my sincere apology to the court, I want to ask for forgiveness and the court should temper justice with mercy.

Oladipopu: With by way of allucutos on behalf of the convict he has pleaded gate at the first instance. He is still very



young and useful to the society, he is a student and a first time offender he has commenced restitution and he has been in custody since the day of arrest which the 17th day of February 2022. He is remorseful and in all, we pray My Lord to magnanimously have mercy on the convict while sentencing him. We are grateful My Lord.

Court: Any record?

Akoja: No record of previous conviction as at today. Sentencing is at Your Lordship discretion. We however apply that the black android phone admitted as exhibit A and the draft of ₦200,000 admitted as exhibit F be forfeited to the federal government of Nigeria. We further apply that the balance sum yet to be restituted been ₦484,000 to be ordered to be paid by the convicted. We are grateful my lord.

Court: Yes counsel?

Obatipu: If the court will be constrained to grant the application of the prosecution base on the issue of further restitution, we humbly pray the court to take cognizance of the provisions of section 428 of the ACJA 2015 by allowing installment payment of the restitution sum in order to prevent the convict from been remanded if the court so resist and he has commence the restitution already. We pray the court to grant our application as the convict is a student so as to be able to quickly raise the amount to be

restituted. May be on monthly basis, we pray the court to be merciful.

Akoja: Why I do not oppose that application for installmental payment, counsel will still be left with one more leg to go, how he intend to pay the money on installment. Because if we leave it to the discretion of the court whatever comes to him is what he will take.

Oladipopu: In response, if the court can grant the option of paying the sum of ₦50, 000 on monthly bases. We are only seeking the mercy of My Lord, because the convict is a student. We are grateful My Lord.

Akoja: I think ₦100, 000 is more reasonable My Lord.

~~Court:~~ I have listened to the plea for leniency made on behalf of the convict. In sentencing, I put into consideration that the convict has no record of previous conviction and did not waste the time of the court. I also consider the fact that he is a student. The court will therefore not impose the maximum sentence and will consider an option of fine. The convict is sentence to 6 months imprisonment with an option of fine of ₦100, 000. The application of learned counsel for prosecution is granted as prayed. Exhibit A & F are hereby forfeited to the federal government of Nigeria. now on application for the installment payment by the learned counsel for the convict having consider the fact that the convict has commenced

the process of restitution by raising a draft and the fact that he is a student, I am of the respective view that the sum of ₦70,000 is adequate to be paid monthly by the convict. I order accordingly.

Oladipopu: We are grateful my lord.

Akoja: We thank you My Lord.

SIGN
21/3/22

APPEARANCES:

Andrew Akoja for the prosecution

~~Samuel Oladipupo~~ for the defendant



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