

19

IN THE FEDERAL HIGH COURT OF NIGERIA

IN THE ILORIN JUDICIAL DIVISION

HOLDEN AT ILORIN

ON THURSDAY THE 21ST DAY OF NOVEMBER, 2019

BEFORE THE HONOURABLE JUSTICE B. G. ASHIGAR (JUDGE)

SUIT NO: FHC/IL/3C/2019

BETWEEN

FEDERAL REPUBLIC OF NIGERIA

VS.

ABDULLAHI IBRAHIM

.....

.....

COMPLAINANT

DEFENDANT

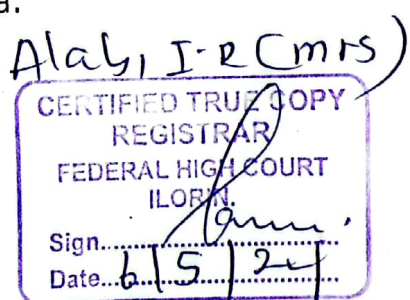
RULING

On 5th November, 2019, while the learned prosecution counsel making his submission, informed the Court that the parties in this charge have settled on a plea bargain agreement dated 26th June, 2019, consequent upon which they filed an amended charge dated 24th June, but filed on 26th June, 2019.

The prosecution counsel went ahead to apply that the said plea bargain agreement be accepted by this Court and that the Defendant be arraigned on the amended charge. The learned defence counsel did not object to this application.

Having gone through the plea bargain agreement and the amended charge and considering the fact that the defence counsel did not in any way oppose the plea bargain agreement or any of its terms, the application is hereby granted as prayed.

It is ordered that the amended charge dated 24th but filed on 26th June, 2019 be read to the Defendant for his plea.



Court: Ruling delivered and filed. The amended charge read and explained to the Defendant in English Language.

20

PLEA

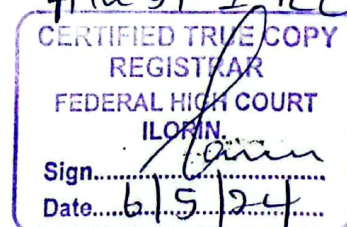
Defendant: Yes I have understood. I am guilty to the charge.

Akoja: In view of the Defendant's guilty plea, we call the investigation officer to review the case.

PW1 affirmed to tell the truth in English and state as follows:

My name is Dare Folarin, I work with EFCC as Detective and serving in Ilorin Zonal Office. My job schedules are investigation, being in custody of drug, coming to Court to give evidence and any assignment given to me by my superior.

I know the Defendant. On the 5th of February, 2019, we acted on intelligence that some group of young men are into internet fraud that they reside at Agric Estate, Ilorin. That made me to visit where the Defendant and four others were arrested on the 5th day of February, 2019. The Defendant was found with Apple mabook pro computer and iPhone 5X, a new Nokia 3310 cell phone. Investigation shows that the Defendant created a Facebook account with the name Dennis Franklin and also created dennisfranklin999@gmail.com as his Gmail address on the said Facebook, he represented himself a white American. He was seen to have contacted Christic Johnson via the Email he created after meeting her through the Facebook account. He proffered love to the said Christic and promised her marriage. This is to enable him to collect money from her fraudulently. He was also seen to have contacted several other American via the Email address. Some of these conversation with Christic and few others were printed out. The Defendant volunteered statement upon his arrest whereas a cautionary



word was written on the EFCC Statement Form and the said cautionary word was read to him and explained to him that the statement he is going to make voluntary statement and he is not acting under duress and nobody is promising him. Hence the statement dated 3rd February, 2019, 5th, 6th, 8th and 13th of February, 2019 that is how I got to know the Defendant. (21)

This is the Apple macbook, the certificate and these are print out and these are four statements as dated. This is the iphone 5X and yellow Nokia phone 3310

Akoja: As the witness identified the items we seek to tender them in evidence.

Atanda: We have no objection to the items sought to be tendered..

Court: The apple mark book, the certificate, the print out, the four statements of the Defendant, the iphone 5X and yellow Nokia phone 3310 were identified, tendered and admitted in evidence and marked as Exhibits 'A', 'B', 'C', 'D', 'E' and 'F' respectively.

Court: Can you show cause why you should not be convicted based on the terms of the plea bargain agreement and on the facts presented by the prosecution?

Defendant: No cause to show but pleading for leniency.

Court: The Court is satisfied that the Defendant has understood the charge and consequence of his plea before he pleaded guilty to the amended charge and also that he has no cause to show why he should not be convicted in the terms of the plea bargain agreement. The terms of the plea bargain agreement are as follows:



1. The Defendant has agreed to plea of guilty to the amended charge.
2. That upon conviction the Defendant shall be sentenced to a term of 4 months imprisonment commencing from the date of conviction without option of fine.
3. The Defendant has agreed to forfeit the following items to the Federal Government of Nigeria to wit: one Apple macbook, one iphone 5X and one Nokia 3310 being the instruments/proceed of the offence recovered from him during the cause of the investigation and;
4. That the terms of this bargain shall form and constitute the judgment of this Honourable Court.

In accordance with this terms of the plea bargain agreement dated 27th May, 2019 the Defendant **Abdullahi Ibrahim** is hereby convicted based on his plea to the amended charge for the offence under Section 484 of the Criminal Code Act and sentenced to a term of ~~four (4) months~~ imprisonment commencing from the date of conviction without an option of fine.

I also ordered that the Apple markbook, iphone 5X and Nokia 3310 be forfeited to the Federal Government of Nigeria as being proceed of crime.

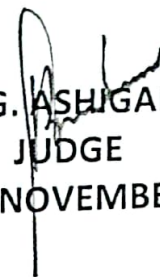


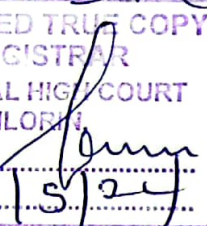
B. G. ASHIGAR
JUDGE
21ST NOVEMBER, 2019

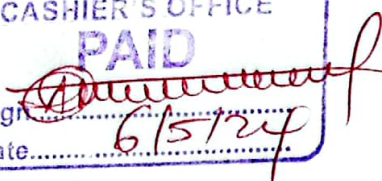
COUNSELS:

Andrew Akoja for the Prosecution.

Atanda Isiaka for the Defendant.


B. G. ASHIGAR
JUDGE
21ST NOVEMBER, 2019

Alabi I.R (Mrs)

CERTIFIED TRUE COPY
REGISTRAR
FEDERAL HIGH COURT
ILORIN
Sign.....
Date..... 6/5/24

FEDERAL HIGH COURT
ILORIN.
CASHIER'S OFFICE
PAID

Sign.....
Date..... 6/5/24

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ILORIN JUDICIAL DIVISION
HOLDEN AT ILORIN
ON WEDNESDAY THE 20TH DAY OF NOVEMBER, 2019