

IN THE HIGH COURT OF JUSTICE EDO STATE OF NIGERIA
IN THE BENIN JUDICIAL DIVISION HOLDEN AT BENIN CITY
BEFORE HIS LORDSHIP HON. JUSTICE MARY E. ITSUELI - JUDGE
ON THURSDAY THE 21ST DAY OF MARCH 2024

SUIT NO B/CD/EFCC/48/24

BETWEEN

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

HASSAN TAIWO USMAN.....DEFENDANT

JUDGMENT

The defendant Hassan Taiwo Usman was arraigned before this court on the 21st of March 2024 on a one-count information filed 18th of March, 2024 for the offence of false pretence contrary to Sections 6 and 8(b) of the Advance Fee Fraud and Other Fraud Related Offences Act 2006. Trial commenced on the 21st of March, 2024. The Prosecution informed the court that the Defendant through his counsel had made an application to the EFCC with a view to entering into a Plea Bargain Agreement.

The Defendant's plea was taken and he pleaded GUILTY to the one-count information. I.K Agwai, Esq for the Prosecution thereafter reviewed the facts of the case. He stated that the defendant was arrested by the EFCC Benin Zonal Command. He was arrested with one Tecno POP 8 and brought to the office for statement taking where he made a confessional statement. The said Tecno POP 8 was profiled and documents containing false pretence were printed out. In view of the plea of the guilt of the defendant, I urge court to take cognizance of S. 270 of the ACJL and S. 356 (2) of the same law to convict the defendant.

In view of the defendant's plea and the facts set out by the prosecuting counsel, I hereby find the defendant GUILTY of the one count charge before court.

ALLOCUTUS

I plead with court to forgive me. I will never in my life do this again.

SENTENCE

In sentencing the defendant, I have calmly considered this allocutus and the fact that by pleading guilty, the defendant avoided wasting tax payers money for a lengthy trial. I have taken cognizance of the plea bargain agreement dated 18/3/24. I note that I am not bound to accept the terms agreed on, as I may impose more or less. In this case, I will accept the terms agreed on in the hope that it will send a strong message to the defendant and the society that these sorts of crime do not pay. My sentence therefore is as follows:

1. That you, Hassan Taiwo Usman, are hereby sentenced to three years imprisonment or an option of #100,000 fine.
2. That the defendant/convict shall forfeit his Techno POP 8 telephone with IMEI number 356698808045240/356698808045257 to the Federal Government of Nigeria through the Economic and Financial Crimes Commission.
3. That the defendant/convict shall enter into an undertaking in writing to be of good behaviour to which his passport photograph is to be affixed.


HON. JUSTICE M.E. ITSUELI
JUDGE
21st OF MARCH, 2024

COUNSEL:
I.K AGWAI, ESQ. FOR THE PROSECUTION
A.S AKINFOLARIN, ESQ FOR THE DEFENDANT