

SIN 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/52/24

BETWEEN

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

OMORUYI UNITY OSASU.....DEFENDANT

JUDGMENT

The defendant Omoruyi Unity Osasu was arraigned before this court on the 21st of March 2024 on a one-count information filed 20th of March, 2024 for the offence of false pretense 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 based on the intelligence report. The defendant was arrested with one iphone 11 ProMax. He was brought to the EFCC office for statement taking where he made some confessional statements. The said iphone 11 ProMax was profiled and fraudulent documents were printed out of the said telephone. Defendant endorsed all documents, which led to the charge against him. Prior to the charge before this honourable court, the defendant applied for plea bargain through his counsel and it was accepted by the commission before the parties signed. The agreement is duly filed before this honourable court. In view of the plea of guilt by the defendant, I urge court to convict the defendant and sentence him in line with the ACJL, 2016, Edo State, particularly S. 270 and S. 356(2) of the same law.

In view of the plea of guilt by the defendant and the facts of the case as set out by the prosecuting counsel, I find the defendant GUILTY of the offence charged.

ALLOCUTUS

My lord, I deeply regret my actions and this is a case that my past is used against me. I am currently pursuing my master's degree at the University of Benin. I promise to change my ways.

SENTENCE

In passing my sentence, I have given deep thought to the allocutus of the defendant and that by pleading guilty, the defendant has avoided putting court through the trouble of a lengthy trial. I have given into account, the terms of the plea bargain dated 20/3/24, signed by the defendant, his counsel and the prosecution. I note that I am not bound to accept the terms agreed on. In this case, I find it acceptable. My sentence therefore is as follows:

1. That you, Omoruyi Unity Osasu, are hereby sentenced to three years imprisonment or pay a fine of #100,000.
2. That the defendant/convict shall forfeit his iphone 11 ProMax with IMEI number 35389788515 to the Federal Government of Nigeria through the Economic and Financial Crimes Commission.
3. That the defendant's bank accounts listed hereunder are to be forfeited to the Federal Government of Nigeria through the Economic and Financial Crimes Commission,
 - i. Account numbers, 020933321, 020929455 domiciled with Guaranty Trust Bank.
 - ii. Account number 1130826839 domiciled in Polaris Bank
 - iii. Account number 0162630898 domiciled with Union Bank.
 - iv. Account number 0287715280 domiciled with Wema Bank
4. That the defendant shall enter 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