

IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT JABI, ABUJA

BEFORE HIS LORDSHIP: HON. JUSTICE D. Z. SENCHI

HON. JUDGE HIGH COURT NO. 13

COURT CLERKS: T. P. SALLAH & ORS

DATE: 17/02/2020

FCT/HC/CR/323/2018

BETWEEN

FEDERAL REPUBLIC OF NIGERIA -----COMPLAINANT

AND

SANFILI NIGERIA LTD-----

DEFENDANT

RULING/JUDGMENT

Defendant:- present in Court.

Sir Steve Odiase:-For the prosecution.

J.D. Musa:-For the Defendant.

Steve:- We have a fresh charge. The fresh charge is dated 17th February, 2020 and filed 17th February, 2020.

The charge filed today 17th February,2020 is to substitute the earlier charge filed on 18th September, 2018. The application is brought pursuant to the inherent powers of the Court. We urge the Court to grant the application.

Musa:- No objection.

Court:- Application is hereby granted. Accordingly the charge dated and filed on 17th February,2020 substitutes the earlier charge filed on 18th September, 2018.

Signed
Judge

17/02/2020

Steve:- The fresh charge is in respect of the present Defendant Sanfili Nigeria Limited. In the circumstance I apply that the fresh charge be read and explained to the Defendant.

Defendant:- I am Christopher Okeke, the alter ego and Managing Director of the Defendant on whose behalf I am standing here.

Court:- The charge read and explained to the Defendant. Do you understand the charge against you?

Okeke:- I understand on behalf of the Defendant. I plead guilty on behalf of the company, the Defendant.

Steve:- No objection.

Court:- The Defendant is hereby convicted as charged.

Signed
Judge

17/02/2020

Steve:- In line with section 270 of the Administration of Criminal Justice Act, 2015 the Defendant and the Complainant with their respective Counsel had earlier entered into a plea bargain agreement. The agreement is dated and filed on 17th February, 2020. We adopt the terms of the plea bargain agreement and urge the Court to take into account clauses 3 and 4 of the plea bargain agreement and sentence the convict as such.

Musa:- It is correct the Defendant and the Complainant had executed a plea bargain agreement dated and filed on 17th February,2020 and signed by their respective Counsel. We adopt the terms of the plea bargain

agreement and urge the court to take into account the plea bargain agreement in sentencing the convict.

Court:-Sentence.

In passing the sentence on the convict, I take into account the plea bargain agreement executed between the Complainant and the Defendant and their respective Counsel. By the plea bargain agreement the complainant and the Defendant agreed that the proceed of crime, N9,500,000.00 be forfeited to the nominal complainant, Wema Bank Plc and that the proceed of crime in the sum of N9,500,000.00 be transferred from the convict's account No. 6001591797 from Heritage Bank Plc to Wema Bank. The Complainant and the convict also agreed that on conviction, the Court shall make an order forfeiting the proceed of crime and also impose an option of fine.

Accordingly therefore, the sum of N9,500,000 being the proceeds of crime be forfeited to WemaBank Plc from Account No.6001591797 with Heritage bank Plc. Further, the convict being a first time offender, a fine of N1,000,000.00 is hereby imposed on the convict and be paid to the Federal Government of Nigeria.

HON. JUSTICE D.Z. SENCHI
(PRESIDING JUDGE)
17/02/2020