

**IN THE HIGH COURT OF THE FEDERAL CAPITAL
TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT COURT NO. 4, MAITAMA ON THE
16TH DAY OF MARCH, 2022**

BEFORE HIS LORDSHIP: HON. JUSTICE U. P. KEKEMEKE

CHARGE NO. FCT/HC/CR/907/2020

COURT CLERKS: *JOSEPH ISHAKU BALAMI & ORS.*

BETWEEN:

INSPECTOR-GENERAL OF POLICE

PROSECUTION

AND

MOSES ANYAOHA

DEFENDANT

RULING

The Defendant/Applicant's application, yet again dated 25/01/2022 is for:

- 1) An Order of this Court admitting the Defendant/Applicant to bail on health grounds.

And for such further Orders as the Court may deem fit to make in the circumstances.

The Applicant was aforesaid granted bail but was revoked when he was arrested at the Airport allegedly attempting to flee the country.

His Counsel brought an application dated 1st November 2021. The Court delivered a considered Ruling dated 25/11/2021.

In the earlier application, Applicant deposed that he is aged and hypertensive. This is a similar application on similar ground.

The Respondent also relies on its Counter Affidavit of 32 paragraphs. The facts contained in the Counter Affidavit are facts which are in the previous Counter Affidavit filed in opposition to the Applicant's earlier application.

The concept of abuse of judicial process is imprecise. It involves circumstances and situations of infinite varieties and conditions. Its common feature is the

improper use of the judicial process by a party in litigation to interfere with the due administration of justice.

This Court took a position regarding the subject matter of this application based on the same grounds.

The Applicant failed to appeal against the Ruling or file a similar application in the Court of Appeal. This Court will not want to approbate and reprobate.

In this Court, day cannot suddenly become night. The circumstances that led to the revocation of the Applicant's bail has not changed.

This application is an abuse of Court process. It is accordingly struck out.

I grant an Order for accelerated hearing.

HON. JUSTICE U. P. KEKEMEKE
(HON. JUDGE)

16/03/2022

Defendant present.

B. A. Amadi, Esq. for the Prosecution.

Godwin Haruna, Esq. and Anma Chris Uche, Esq. for the Defendant.

PROSECUTION: Case is for cross-examination of PW2 and Ruling.

COURT: Ruling delivered.

(Signed)

Hon. Judge

16/03/2022