

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,
IN THE ABUJA JUDICIAL DIVISION,
HOLDEN AT COURT NO. 7 APO, ABUJA.
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.**

CHARGE NO: FCT/HC/BW/CR/39/2021

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

ENYICHUKWU VICTOR ONYEKACHI DEFENDANT

JUDGMENT

DELIVERED ON 12TH OCTOBER, 2021

The defendant is charged with a one count charge as follows:-

That you Enyichukwu Victor Onyekachi sometime in 2021, at Abuja within the jurisdiction of this Honourable Court by deceiving while pretending to be one Jackson Williams an American Citizen cheated by inducing one Cherry Jackson through an instagram using the name of Mteddy as username, to deliver to you the sum of \$2,000.00 USD (Two Thousand US Dollars) through your Bitcoin Wallet Account and you thereby committed an offence contrary to Section 320 (b) and punishable under Section 322 of the Penal Code Act, Laws of the Federation (Abuja) 1990.

The case came up for hearing on 12th October, 2021, the charge was read to the defendant and he pleaded guilty to the one count charged.

In view of the plea of guilty by the defendant, the Prosecution counsel urged the court to convict him as charge and sentence him in accordance to section 270 ACJA 2015 as agreed upon. The prosecutor Counsel further informed the court that the parties have filed a plea bargain agreement dated and filed on 14th July, 2021 both parties adopt same.

Whereas the Defendant, Enyichukwu Victor Onyekachi is presently standing trial before this Honourable Court in respect of the offences of cheating filed by the Complainant.

That the Defendant has agreed to forfeit a Toyota Camry he bought from proceed of the crime as well as forfeit the sum of N250, 000.00 (Two Hundred and Fifty Thousand Naira) being proceeds of his crime for the restitution of his victim, and also forfeit a Samsung Phone, used as instrumentalities of the Crime.

Also the Defendant has shown great remorse for his actions and forfeited the above listed items being proceeds of the crime which gave rise to the charge before this Honourable Court to the Federal Government of Nigeria for restitution of their victims.

Counsel submits that the defendant by their letter dated 21st June, 2021 applied to the prosecution for a plea bargain and the prosecution has agreed to the request as stated herein.

That the defendant has also from the inception of the investigation up to the filing in court cooperated with the operatives of the EFCC (Nominal Complainant).

Counsel stated that there is also the need to avoid wastage of the precious judiciary machinery, time and manpower, and whereas the foregoing seeks to achieve the justice desired.

Finally, counsel submitted that the terms of this agreement shall form and constitute the judgment of this Honourable Court, and no further charge shall arise against the Defendant in respect of this offence.

The parties, by mutual consent, adopt the plea bargain agreement and same shall constitute the judgment of this court.

The defendant having pleaded guilty to the one count charge brought by the EFCC against him, he is hereby convicted as charged.

The defendant having been convicted, he is hereby sentence to a term of two (2) months imprisonment in Kuje Correctional service, he is however, given an option of payment of sum of

N60,000.00 in lieu of imprisonment to served as a deterrent to others.

All the items of the crime shall be forfeited to the Federal Government of Nigeria. I so ordered.

APPEARANCE:

Aliyu Bokani Usman, Esq. for the Prosecution

Stanly Maduabuchi, Esq. for the Defendant.

Sign
Hon. Judge
12/10/2021