

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT HIGH COURT MAITAMA – ABUJA**

BEFORE: HIS LORDSHIP HON. JUSTICE S. U. BATURE

COURT CLERKS: JAMILA OMEKE & ORS
COURT NUMBER: HIGH COURT NO. 24
CASE NUMBER: SUIT NO. FCT/HC/CR/552/2021
DATE: 28TH MARCH, 2022

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

MMADUBUONU ONYEDIKA MICHAEL.....DEFENDANT

JUDGMENT

APPEARANCES:

Samuel Chime Esq for the Prosecution.

Agbo J. Pius Esq for the Defendant.

PROSECUTION COUNSEL:

The matter is for arraignment. We have a One Count Charge. We wish to also inform the Court that we received an application for plea bargain agreement from Defendant's Counsel. Same has been approved by my superiors. We apply that the Charge be read to the Defendant.

PIUS ESQ:

We have received the Charge Sheet. The plea bargain agreement has been entered.

COURT:

The One Count Charge read to the Defendant. Defendant do you understand the One Count Charge?

DEFENDANT:

I understand the One Count Charge.

COURT:

I understand that you entered into a plea bargain with the Prosecution?
Did anyone coerce you into signing the agreement?

DEFENDANT:

Yes, I understand the plea bargain agreement and I entered into it voluntarily without any coercion.

COURT:

Very well. How do you plead to the One Count Charge?

DEFENDANT:

I plead guilty.

CONVICTION

The Defendant having pleaded guilty to the One Count Charge pursuant to the satisfaction of the Court that same was entered into voluntarily, he is hereby convicted as charged for the offence of cheating contrary to Section 320 and punishable under Section 322 of the Penal Code Law Cap. 52, Laws of the Federation (Abuja).

Signed:

***Hon. Justice S. U. Bature
28/3/2022.***

ALLOCUTUS

We adopt the plea bargain. The Convict has shown remorse and has undertaken not to commit the offence. The Convict is my childhood friend. We went to the same primary and secondary schools. I am surprised to see him here. We urge my Lord to be merciful to treat him as a mother

would a child. We equally pray that his fine be reduced so that he can be able to raise the funds and pay the fine. He is a first offender.

PROSECUTION COUNSEL:

From our records he is a first offender. We leave the issue of fine to the discretion of the Court.

DEFENDANT:

I wish to apologize for my mistakes and I plead for a second chance to mend my ways and represent the colours of Nigeria in a good way.

SENTENCING

In passing this sentence, I took consideration, the Allocutus made by the Convict as well as his Counsel, the plea bargain agreement filed on 22nd March, 2022 and the fact that the Convict is a first offender. In view of this, giving the fact that the Convict has shown remorse, he is sentenced to serve an imprisonment term of six months or to pay a fine of **N300, 000.00**.

Signed:

***Hon. Justice S. U. Bature
28/3/2022.***