

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT KUBWA, ABUJA**

**ON MONDAY THE 4<sup>TH</sup> DAY OF JULY, 2022**

**BEFORE HIS LORDSHIP: HON. JUSTICE K. N. OGBONNAYA**  
**JUDGE**

**SUIT NO.: FCT/HC/PET/161/2021**

**BETWEEN:**

**MRS. MERCY AMEH ADEYANJU           -----    PETITIONER**

**AND**

**MR. ADEOLU ADEYANJU           -----    RESPONDENT**

## **BENCH JUDGMENT**

In this Petition, the Petitioner – Mrs. Mercy Ameh Adeyanju wants the dissolution of the marriage between her and the Respondent – Mr. Adeolu Adeyanju who is currently serving a term at the Kuje Correctional Facility, Abuja.

According to the Petitioner, the marriage had broken down irretrievably in that the Respondent had behaved in such a way that she is not expected to continue with the said marriage. Besides, the Respondent is serving term in Prison. For 7 years and there are other crimes in which he is being tried. She had attached several documents including Marriage Certificate – EXH 1, Court Judgment showing that the Respondent is actually in Prison based on crime predicated on fraud – EXH 2. There is also Ruling and Charge attached. She had attached an

overwhelming document – Excerpts or print out from the internet, all documents showing that the Respondent is a serial fraudster. That even while in Prison, he continued to defraud people.

The Petitioner had noticed the fraudulent character of the Respondent shortly after their wedding when the Respondent was arrested by FCIID. When she enquired, the Respondent told her that it was a business gone bad. After that, he was subsequently arrested by ICPC on fraud, defrauding Federal Ministry of Environment the sum of Nine Hundred and Thirty Four Million Naira (₦934, 000,000.00).

That after their son was born he was also arrested even on the day of the naming ceremony of the child.

To crown it all, he left home sometime in February 2016 and never came home. Petitioner after learnt that the Respondent was jailed for one of the numerous fraud/charge against him. She said that she went to her parents sometime in November 2015 because of the shame and shock. That the Respondent came in December 2015 promising that he is a changed man. But in April 2016 he left and never came back. Since then the Petitioner had been raising the only child of the marriage up alone. Since she could not bear it, she filed this Suit after she discovered in the Internet that the Respondent continued with his fraudulent ways. Hence this Petition. She had unflinchingly narrated the facts before the Court. From her narrative, no one will doubt her story because it flowed from inside of her traumatized psyche. This Court believed her.

One of the grounds for dissolution of marriage is having broken down irretrievably, prison and/or desertion.

In this case, there are so many gory facts about the life and character of the Respondent who the Court will call a “Serial Fraudster.”

This marriage had actually broken down irretrievably even long before the filing of this Suit. I think from the time the Petitioner, as a new bride discovered, to her shock and chagrin that the love of her life is a fraudster and all hope of having a wonderful life were dashed by the incessant arrest of the Respondent, in and out of detention facility and now in jail.

The marriage having broken down irretrievably, this Court hereby DISSOLVES same today the 4<sup>th</sup> day of July, 2022.

The Petitioner should continue with custody of the sole child of the marriage. If and when the Respondent comes out of jail, he may visit his son if he so wish. He may also contribute to his welfare and upkeep.

But custody should be wholly with the Petitioner until the boy reaches the Age of Maturity.

**This is the Judgment of this Court.**

**Delivered today the \_\_\_ day of \_\_\_\_\_ 2022 by me.**

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**K.N. OGBONNAYA**  
**HON. JUDGE**