

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
HOLDEN AT MAITAMA  
BEFORE HIS LORDSHIP: HON. JUSTICE A. S. UMAR**

**SUIT NO: FCT/HC/CR/76/14**

**BEWEEN:**

**FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT**

**AND**

**OKECHUKWU EMMANUEL IHEDIWA (M) - ACCUSED PERSON**

**18 – 03 - 2015**

**JUDGEMENT**

With leave of this court the accused person Okechukwu Emmanuel Ihediwa was arraigned before this court on 2 count amended charge on 18/3/2015. The count read as thus;

**Court 1**

That you Okechukwu Emmanuel Ihediwa (M) sometimes in August 2014 or thereabout at Abuja pretended to hold the designation of staff coordinator of the Federal Ministry of Information and Communication and in such assumed character did fraudulently obtain monies amounting to N1.5 Million from one Nkechinyere Mercy Onuoha and 5 Others under the colour of such office that you were giving them jobs/employment and you thereby committed an offence contrary and punishable under S. 132 of the P.C Cap 532 Law of F.C.T Abuja 2006.

**Court 2**

That you Okechukwu Emmanuel Ihediwa (M) sometime in August 2014 or thereabout at Abuja pretended to hold the designation of staff coordinator of the Federal Ministry of Information and Communication and in such assumed character and acted under the colour of such office and you thereby committed an offence contrary and punishable under S. 132 of P.C. Cap 532 Laws of F.C.T Abuja 2006.

It is apt to mention that immediately the charges were read to the accused person he plead guilty to 2 count charge. The prosecution

therefore applied that the accused be tried summarily. The court explain to the accused the implication of his plea which was confirmed by his counsel, but he voluntarily pleaded guilty. He said I am guilty as charged. The summary of the facts of the case as distilled from the charge is that the accused person pretended to be a staff coordinator of Federal Ministry of Information and Communication and obtain monies amounting to N1.5 Million from some people under the colour of the said office that he will give them employment. I have given deep consideration to the plea of the accused person. I have noted that by his plea he opted for summary trial. It is the law that where the accused person pleaded guilty to a charge he is standing trial except for capital offence, a plea of guilty can be entered for him. Consequently having satisfied myself with requirement of the law, it is my considered view to commit the accused person on 2 court charge.

I accordingly convict the accused as charged in count 1 & 2 respectively.

Allocutus: The accused person is a 1<sup>st</sup> time offender, the accused has voluntarily pleaded guilty to court. He did not intend to waste the time of the court. The accused person is remorseful, and he informed me that he has fully purged to be of good behaviour. The accused person is a widower having lost his wife in 2015, the bread winner of the family. He has a little child of 1 year and some month. The accused person has been in custody since November 2014. The child is under the care of a nanny whose threatened to abandoned the little boy. Based on the foregoing I apply that this court to temper justice with mercy. The accused person regret his action. I urge the court to consider an option of fine in the circumstances. He has undertaken to be of good behavior.

Prosecution: We are not opposed to the plea of allocotus. He is a 1<sup>st</sup> time offender. In the interest of justice, we align with accused counsel, that this court should temper justice with mercy.



