

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE OSOGBO JUDICIAL DIVISION
HOLDEN AT OSOGBO
ON MONDAY THE 25TH DAY OF APRIL, 2016
BEFORE THE HON. JUSTICE M. A. ONYETENU
JUDGE

CHARGE NO. FHC/OS/50C/2015

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

MUJEED ADISA - ACCUSED

Accused person present.

John Ameh for the prosecution.

Accused person represented by counsel.

Prosecution applies that charge be read to the accused person to enable him take his plea.

Court: Read the charge.

Charge is read over and explained to the accused person in Yoruba language through a sworn interpreter Femi Aina Oladimeji Court Registrar.

The accused person states he understands the charge and pleads guilty to the charge.

M. A. Onyetenu

Prosecution is ready with the facts.

Case for the prosecution opens.

1st prosecution witness. Sworn on the Koran and states in English language the same being interpreted to the accused person in Yoruba language by Femi Aina Oladimeji Court Registrar.

My name is Anwal Saleh Magaji. I am an Assistant Superintendent of Narcotics II. I work with the National Drug Law Enforcement Agency Osun State Command. I am the Central Exhibit Officer of the command. I know the accused person.

On 7/8/15 some NDLEA operatives including Hashim Isah Yerima and Makinde Olaposin brought the accused person to my office with some dried substance concealed inside a black sack suspected to be cannabis sativa. I asked the accused person whether the exhibit was his he stated yes. I then conducted a field test on the substance using United Nations kit and the result was positive for cannabis sativa. I weighed the substance. It was 800 grammes. I took a fraction of the substance about 5 grammes and put inside a transparent evidence pouch and sent to our laboratory in Lagos for tests. I issued 3 Exhibit

M A Oyetun

forms namely Certificate of Test Analysis Form, Packing of Substance and Request for Scientific Aid Test

The accused person thumbprinted the forms and the evidence pouch. I marked the 3 Exhibit forms, the evidence pouch and the bulk substance with a No.

NDLEA/OSSC/129/15. I took the accused person to the interrogation unit where his statement was taken. On 29/1/16 I took the transparent evidence pouch to our office.

On a later date I went back and collected a large brown envelope and a drug analysis report. That is all.

I can identify the 3 Exhibit forms.

These are the forms.

Tenders the forms as Exhibit.

No objection by the accused person.

To be admitted and marked as follows

Certificate of Test Analysis Exhibit A

Request for Scientific Aid Test Exhibit A1

Packing of substance Exhibit A2

Tenders the bulk substance as Exhibit.

No objection by the accused person.

To be admitted and marked Exhibit B

This is the statement of the accused person.



Tenders the statement of the accused as Exhibit.

No objection by the accused person.

To be admitted and marked Exhibit C.

This is the drug analysis report with the large brown envelope.

Tenders the drug analysis report with the large brown envelope as Exhibit.

No objection by the accused person.

To be admitted and marked as follows:-

Large Brown Envelope Exhibit D

Drug Analysis Report Exhibit D1

Prosecution applies that the large brown envelope be unsealed.

Court: Unseal the large brown envelope.

Large brown envelope is unsealed in court to reveal a transparent evidence pouch containing analysed substance.

Tenders the transparent evidence pouch with analysed substance as Exhibit.

No objection by the accused person.

To be admitted and marked Exhibit D2. That is all.

Cross-Examination - Nil in view of plea

Re-Examination – Nil

M. A. Oyedun

END OF CASE FOR THE PROSECUTION

Prosecution applies that the accused person be convicted and sentenced.

Court: You have heard the facts as presented by the prosecution. Are the facts correct?

Accused person: Yes

Judgment

Upon your own plea and admission of the facts as stated by the prosecution I find you guilty as charged.

M. A. Onyetenu
M. A. Onyetenu
Judge
25/4/16

Record: Nil

Allocutus: The accused person pleads for leniency.

Sentence: The accused is a 1st offender. He has not wasted the time of this court. I will thus be very lenient with him. He is to serve a jail term of 18 months I. H. L. starting from date of 1st custody 7/8/15.

MA Onyetenu
M. A. Onyetenu
Judge
25/4/16

M. A. Onyetenu

Order as to Exhibit

Exhibit B to be released to the prosecution for destruction.

A handwritten signature in black ink, appearing to read "M. A. Onyetenu".

M. A. Onyetenu

Judge

25/4/16