

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE OSOGBO JUDICIAL DIVISION
HOLDEN AT OSOGBO
ON THURSDAY THE 26TH DAY OF MAY, 2016
BEFORE THE HON. JUSTICE M. A. ADAOBI OYETENU
JUDGE

CHARGE NO FHC/OS/59C/2015

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLIANANT

AND

ADEOLA ADEGBESAN - ACCUSED

Accused person present.

John Ameh for the prosecution.

P. O. Ofoyeju (Mrs.) for the accused person.

Case for the prosecution opens.

1st prosecution witness.

Sworn on the Holy Bible and states in English language.

My name is Omijire Bukola Soji. I am a Chief Narcotics Agent with the National Drug Law Enforcement Agency Osun State Command. I know the accused person. On 16/6/15 at about 1.09 pm a team of NDLEA operatives went to Makun's Hotel along Ilesha road. The accused was

M.A. Oyetenu

found with 4 parcels containing substances supported to be indian hemp. Accused was arrested and taken to NDLEA office where the substance was tested and weighed. It proved positive to be cannabis sativa and it weighed 4.2kg. after that the accused person signed and thumbprinted the Exhibit forms while the arresting and witnessing officers also thumbprinted.

After this the accused was taken to another office where his statement was taken down after caution. That is all. Earlier on the Exhibit officer took a little bit of the substance and put in a transparent evidence pouch which he took to Lagos for laboratory. After some time my office received a full report of the laboratory analysis.

I can identify the exhibit forms. These are the forms. Tenders the 3 exhibit forms as Exhibits.

No objection by counsel to the accused person.

To be admitted and marked as follows:

Certificate of Test Analysis Exhibit A

Packing of substance form Exhibit A1

Request for Scientific Aid Test Exhibit A2

Tenders the bulk substance as Exhibit.

No objection by counsel to the accused person.

To be admitted and marked Exhibit B (the 4 parcels)

M.A. Oyeleke

Tenders the statement of the accused person as Exhibit.

No objection by counsel to the accused person.

To be admitted and marked Exhibit C.

Tenders the Large Brown Envelope and Drug Analysis Report as Exhibit.

No objection by counsel to the accused person.

To be admitted and marked as follows:-

Large Brown Envelope Exhibit D

Drug Analysis Report D1

Prosecution applies that Exhibit D be unsealed.

Court: Unseal it.

Exhibit D is unsealed in court to reveal a transparent evidence pouch containing analysed drug.

Tenders the transparent evidence pouch containing analysed drug as Exhibit.

No objection by counsel to the accused person.

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

Cross-Examination - Nil in view of plea

Re-Examination - Nil

END OF CASE FOR THE PROSECUTION

Prosecuting counsel applies that the accused be convicted.

M. A. Oryetun

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 facts as stated by the prosecution I find you guilty as charged.

M. A. Onyetenu

M. A. Onyetenu

Judge

26/5/16

Record: Nil

Allocutus: The accused person is a 1st offender. He has not wasted the time of this court. He is a young man with a promising future. I urge this court to caution and discharge him.

Sentence: The accused person is a 1st offender. He is still young. I will give him another chance. He is to serve a jail term of 12 months starting from date of 1st custody 16/9/15.

M. A. Onyetenu

M. A. Onyetenu

Judge

26/5/16

M. A. Onyetenu

Order as to Exhibit

Exhibit B to be returned to the prosecution for destruction.

M. A. Onyetenu

M. A. Onyetenu

Judge

26/5/16