

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE OSOGBO JUDICIAL DIVISION
HOLDEN AT OSOGBO
ON TUESDAY THE 31ST DAY OF MAY, 2016
BEFORE THE HON. JUSTICE M. A. ADAOBI OYETENU
JUDGE

CHARGE NO FHC/OS/3C/2016

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLIANT

AND

MATTHEW ILESANMI - ACCUSED

Accused person present.

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

John Ameh for the prosecution.

Case for the prosecution opens.

1st prosecution witness.

Sworn on Koran and states in English language.

My name is Oyeyemi Oyekunle Kazeem. I work with National Drug Law Enforcement Agency Osun State Command. I am the Assistant Exhibit Officer of the Command and a Narcotic Agent.

I know the accused person. On 26/1/16 2 NDLEA OPERATIVES Zubeiru Kwata and Chibe Nga brought the

M. A. Oyetenu

accused person to the exhibit office along with parcels of dried weed suspected to be cannabis sativa and skunk suspected also to be cannabis sativa. I took a small sample of the exhibit and fieldtested it using United Nations testing kit and it proved positive for cannabis sativa. I weighed the said Exhibit and it was 1.3kg. I took a small portion of it and put it inside the transparent evidence pouch marked A1 and labeled it with NDLEA Reference No. NDLEA/OSSC/006/16. Which the accused person thumbprinted and I signed. I also put the same number on the bulk exhibit forms. I issued 3 exhibit forms namely packing of substance form, certificate of test analysis form and request for scientific aid form which the accused person signed and the 2 officers signed. I also signed. I took the accused person to the interrogation room where his statement was taken.

At a latter date the transparent evidence pouch was sent to the headquarters for laboratory analysis. I can identify the forms in question. These are the forms.

Tenders the forms as Exhibits.

No objection by counsel to the accused person.

To be admitted and marked as follows:

Certificate of Test Analysis Exhibit A

M. A. Oyedun

Packing of substance form Exhibit A1

Request for Scientific Aid Test Exhibit A2

This is the bulk substance.

Tenders the bulk substance as Exhibit.

No objection by counsel to the accused person.

To be admitted and marked Exhibit B

I can identify the statement of the accused person.

This is the statement of the person.

Tenders the statement of the accused person.

No objection by counsel to the accused person.

To be admitted and marked Exhibit C.

I can identify the Drug Analysis Report and the Large Brown Envelope. This is the large brown envelope and drug analysis report.

Tenders the large brown envelope and the 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 Exhibit D.

M. A. Dey

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

Tenders the 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

Prosecution counsel applies that the accused 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 facts as presented by the prosecution I find you guilty as charged.

M. A. Onyetenu
M. A. Onyetenu
Judge
31/5/16

Record: Nil

M. A. Onyetenu

Allocutus: The accused person is a 1st offender. He has not wasted the time of this court. The accused person is remorseful. He is a family man.

Sentence: The accused person is a 1st offender and has not wasted the time of this court. He appears sober and repentant. I will thus be very lenient. The convict is asthmatic and also has ulcer. The prison authorities have confirmed this. I will take that into consideration. The accused is to serve a jail term of 10 months I. H. L. starting from date of 1st custody 26/1/16.

M. A. Onyetenu
M. A. Onyetenu
Judge
31/5/16

Order as to Exhibit

Exhibit B to be returned to the prosecution for destruction.

MA Onyetenu
M. A. Onyetenu
Judge
31/5/16