

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE OSOGBO JUDICIAL DIVISION
HOLDEN AT OSOGBO
ON THURSDAY THE 16TH DAY OF JUNE 2016
BEFORE HIS LORDSHIP
HON. JUSTICE MAUREEN ADAOBI ONYETENU
JUDGE

CHARGE NO: FHC/OS/41C/2016

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

SAMSON MONDAY DAVID ACCUSED

Accused person present


John Ameh for the prosecution

M.O. Awe for Adetise Adeyemi for the accused

Prosecuting counsel now states that they have the records and tenders the record of convict of the accused person in FHC/OS.35c/12 in which he was sentenced to 3 months for unlawful possession of 20 grams of cannabis sativa.


Counsel to the accused pleads that the accused has learnt his lesson.

Court/sentence:- The accused is not a 1st offender. He is increasing the quantity amount of Indian Hemp. He was the one who gave the substance to another one Mathew Iluyemi to sell the same has also been sentenced by this court. He is to serve a jail term of 3 years starting from date of 1st custody as he does not appear to be repentant.


M.A. Onyetenu
Judge
16/6/16

Order as to Exhibit

Exhibit B to be returned to the prosecution for destruction.


M.A. Onyetenu
Judge
16/6/16



IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE OSOGBO JUDICIAL DIVISION
HOLDEN AT OSOGBO
ON WENESDAY THE 25TH DAY OF MAY, 2016
BEFORE THE HON. JUSTICE M. A. ADAOBI OYETENU
JUDGE

CHARGE NO FHC/OS/27C/2015

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLIANANT

AND

OJO AJAKAYE - ACCUSED

Accused person present.

John Ameh for the prosecution.

Accused person unrepresented by Counsel.

Court: The accused states even though he has a case
he wishes this matter to go on today in the
absence of his counsel.

Case for the prosecution opens.

1st prosecution witness.

Sworn on the Koran and states in English the same is
being interpreted into Yoruba language by Femi Oladimeji
Court Registrar.

M. A. Oyetenu

My name is Anwal Saleh Magaji. I am an Assistant Superintendent of Narcotics II with the National Drug Law Enforcement Agency Osun State Command. I am the Central Exhibit Officer of the Command. I recognize the accused person. On 16/4/16 some NDLEA operatives from Ila Area brought the accused person to my office with some quality of substance (Indian hemp) concealed inside a white sack. The accused was arrested in his house based on information received. I asked the accused person if this was true and he admitted. I then conducted a field test of the substance using United Nations testing kit and it proved positive to be cannabis sativa. I weighed the substance and it was 1.3kg. I put about 5 grams of the substance into a transparent evidence pouch which I told the accused I will take to our laboratory in Lagos which I already did. I issued 3 Exhibit forms namely Certificate of Test Analysis, Packing of Substance and Request for Scientific Evidence Aid which and the 2 officers signed and I also signed. The accused person also signed the transparent evidence pouch. 2 of the NDLEA operatives that brought the accused also signed the pouch. I issued the 3 Exhibit forms, the bulk Exhibit and transparent evidence pouch with a No. NDLEA/OSSC/051/15. I took

M. A. Oyejemi

the accused person to the interrogation unit where his statement was recorded.

After 29/1/15 I received a large brown envelope and a drug analysis report which I handed over to the prosecution. That is all.

I can identify the Exhibit forms in question.

These are the Exhibit forms.

Tenders the Exhibit forms as Exhibit.

No objection by the accused person.

To be admitted and marked as follows:

Exhibit A Certificate of Test Analysis

Exhibit A1 Packing of substance form and

Exhibit A2 Request for Scientific Aid Test

I can also identify the recovered substance in this case. This is the bulk substance.

No objection by the accused person.

To be admitted and marked Exhibit B

I can identify the statement made by the accused person.

This is the statement made by the accused which he signed and thumbprinted.

No objection by the accused person.

To be admitted and marked Exhibit C.

M-A Oyelusi

I can identify the large brown envelope and the Drug Analysis Report in this case.

Tenders the large brown envelope and drug analysis report in this case.

No objection by the accused person.

To be admitted and marked as follows:-

Drug Analysis Report Exhibit D

Large Brown Envelope Exhibit D1

Prosecution applies that Exhibit D1 be unsealed.

Court: Unseal it.

Exhibit D1 is unsealed in open court to reveal a transparent evidence pouch containing analysed drug.

Tenders the transparent evidence pouch 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

END OF CASE FOR THE PROSECUTION

Prosecution applies that the accused person be convicted.

Court: You have heard all that facts the prosecution witness stated. Are the facts correct?

Accused person: Yes

M A - Oryetem

Judgment

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

M. A. Onyetenu
Judge
26/5/16

Record: Nil

Allocutus: The accused pleads for leniency stating that he has learnt his lesson.

Sentence: The accused is a 1st offender. He has not wasted the time of this court and has been remorseful truthfully. I will thus be very lenient with him. He is to serve a jail term of 2 years starting from date of 1st custody 16th April 2015.

M. A. Onyetenu
Judge
26/5/16

Order as to Exhibit

Exhibit B to be returned to the prosecution for destruction.

M. A. Onyetenu
Judge
26/5/16