

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE OSOGBO JUDICIAL DIVISION
HOLDEN AT OSOGBO
ON TUESDAY THE 26TH DAY OF APRIL, 2016
BEFORE THE HON. JUSTICE M. A. ONYETENU
JUDGE

CHARGE NO. FHC/OS/62C/2015

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

ADEMOLA SAHEED - ACCUSED

Accused person present.

John Ameh for the prosecution.

Accused person represented by counsel.

Prosecution asks that the charge be read to the accused person.

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.

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. 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 18/8/15 some NDLEA operatives from Ile-Ife brought the accused person to my office with some quantity of dried weeds suspected to be cannabis sativa. They had arrested the accused person at the garage. I asked the accused person about this and he told me he was arrested with the substance. I conducted a field test of the substance using United Nations kit and it proved positive to be cannabis sativa. I weighed the substance and it was 400 grammes. I took a fraction of the substance about 5 grammes and put in a transparent evidence pouch and sent to our laboratory in Lagos for test analysis. I issued 3 Exhibit forms to wit Certificate of Test Analysis,

Packing of Substance Form and a Request for Scientific Aid Form

The accused person signed and thumbprinted the forms which the arresting and witnessing officers countersigned. The officers are Oladimeji Opeyemi and Oladeji Abdullahi. I took the accused person to the interrogation unit where his statement was recorded in Yoruba language and translated into English language. I issued 3 exhibit forms, the bulk exhibit with an NDLEA No. NDLEA/OSSC/137/15. I also put that in the evidence pouch sent to laboratory. After 29/5/15 I went and collected the drug analysis form with a large brown envelope which I handed over to the command together with a drug analysis report. These are the 3 exhibit forms.

Tenders the 3 exhibit forms as Exhibit.

No objection by the accused person.

To be admitted and marked Exhibit A for Certificate of Test Analysis, Exhibit A1 for Packing of substance form and Exhibit A2 for Request for Scientific Aid form.

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

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 made in Yoruba language with the translated version.

Tenders the statement as Exhibit.

No objection by the accused person.

Statement made in Yoruba language Exhibit C.

Translation thereof Exhibit C1.

I have also 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 drug analysis report as Exhibit.

No objection by the accused.

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 envelope.

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

Tenders the transparent evidence pouch containing 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

END OF CASE FOR THE PROSECUTION

Prosecution applies that the accused person be convicted and sentenced.

Court: You have heard the facts as stated 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

Judge

26/4/16

Record: Nil

Allocutus: The accused person pleads for leniency.

Sentence: The accused is a 1st offender and has not wasted the time of this court. But then he is a driver and by this action of smoking indian hemp put the life of other

road users in jeopardy although he appears sober and repentant. The accused is to serve a jail term of 18 months I. H. L. starting from date of 1st custody 18/8/15.

M. A. Onyetenu

Judge

26/4/16

Order as to Exhibit

Exhibit B to be handed over to the prosecution for destruction.

M. A. Onyetenu

Judge

26/4/16