

REPEATED DELAYS AND EVASION OF ARRAIGNMENT IN CR/222/2023

1. The History of Evasion:

This charge was initiated in 2023 by the Office of the Honourable Attorney General of the Federation. While the Defendants were scheduled for arraignment on July 3, 2024, they have since consistently avoided the jurisdiction of this Court on eight (8) consecutive occasions which goes contrary to the extant provisions of the Administration of Criminal Justice Act 2025 which expressly provides for a speedy dispensation of criminal justice. .

This isn't merely a delay; it is a calculated subversion of Section 396 of the Administration of Criminal Justice Act (ACJA) 2015, which mandates that once a charge is filed, the court shall ensure a day-to-day trial to achieve a speedy disposal of the case. By evading arraignment, the Defendants are effectively holding the judicial process hostage.

2. The Plight of the Victim:

While the Defendants employ various manoeuvre to stall, the victim remains dispossessed of her fundamental rights. Her educational documents, professional credentials, and personal belongings remain in the Defendants' possession. It is worthy to note these are facts already placed before the Honourable Court.

Under Section 44 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), no person's moveable property shall be taken possession of compulsorily except in the manner prescribed by law. The continuous withholding of these items, while evading trial, is an ongoing violation of her rights.

3. Concerning the Review by the Attorney General:

We are informed today that the matter is currently under review by the Honourable Attorney General of the Federation (HAGF). We hold the HAGF, Chief Lateef Fagbemi, SAN, in the highest regard as a stickler for the rule of law.

However, we must place on record that this "review" follows a pattern of the Defendants filing petitions and letters aimed at misleading the HAGF's office. It is worth noting that the 2nd Defendant, Mr. Victor Giwa, is currently facing a separate trial for the alleged forgery of a letter from Awa Kalu, SAN an act purportedly intended to halt these very proceedings.

4. A Call for the Rule of Law:

The spirit of **Section 36(4) of the 1999 Constitution** is clear: every person charged with a criminal offense is entitled to a fair hearing within a reasonable time. This right extends not just to the defendant, but to the state and the victim who seek closure.

Justice delayed is justice denied. The Defendants must be reminded that:

-The law is no respecter of persons.

-Petitions to the HAGF are not a legal substitute for an appearance in a court of competent jurisdiction.

-Criminal proceedings are not intended to be a merry-go-round of administrative interference.

Conclusion:

Our client remains confident that once the HAGF is presented with the full facts undiluted by the misleading narratives of the Defendants he will ensure that the course of justice remains unobstructed.

All we ask is simple: Let the Defendants come to court. Let the plea be taken. Let the trial commence. Justice is not an optional process; it is a mandatory accountability mechanism for all citizens.

Thank you.



A. K. MUSA, ESQ.

Counsel to the Nominal Complainant and Victim