

DECEMBER, 2025

**THE CHIEF'S MAGISTRATE COURT
(SITTING IN LABULE)**

IN THE MATTER BETWEEN

THE STATE

AND

- 1. SUSAN ADEBAYO**
- 2. JOHN EMEKA**
- 3. JOY SANI**
- 4. PAUL OBINNA**

DEFENDANTS' NO CASE SUBMISSION

**JURITRUST ADMINISTRATION OF CRIMINAL JUSTICE ACADEMY MOOT
COMPETITION, 2025**

IN THE MAGISTRATE COURT
IN THE LABULE JUDICIAL DIVISION
HOLDEN AT LABULE

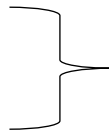
CHARGE NO:.....

BETWEEN

THE STATE.....COMPLAINANT

AND

SUSAN ADEBAYO
JOHN EMEKA
JOY SANI
PAUL OBINNA



DEFENDANTS

NO-CASE SUBMISSION

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1.0. INTRODUCTION

- 1.1. Your Worship, at the close of the Prosecution's case, we respectfully submit that the Prosecution has failed to establish a prima facie case against the Defendants to warrant calling upon them to enter their defence. The Defence brings this no-case submission

pursuant to *Section 302 of the Administration of Criminal Justice Act*¹ and rely on the legal arguments put forth below in firm support of our application.

2.0. STATEMENT OF FACTS

- 2.1. On Saturday, October 4, 2025, during the Waiyaki State Advanced Professional Accounting Certification Examination (APCE) at the Oleku Examination Centre, the invigilator, Mr Lookman apprehended three suspects: Ms. Susan Adebayo, Mr. John Emeka, and Mrs. Joy Sani, for impersonation.
- 2.2. Following the apprehension, the trio were held by Lookman and one private security personnel for 48 continuous hours in a small, unventilated maintenance closet used as a makeshift store-room. They were denied water, prevented from contacting their families or a lawyer, and were subjected to relentless “on-the-spot interrogation” by Lookman and the security guard.
- 2.3. During this 48-hour period, the suspects were repeatedly threatened: Lookman told them that “unless they cooperated” they would be permanently disqualified from all professional practice and would face the maximum possible sentence.
- 2.4. Additionally, Mr. John Emeka was forced to remain standing for over six hours, and Ms. Susan Adebayo was made to believe her young child would be taken into state custody if she refused to name the person that hired them. Under this severe psychological and physical duress, Susan and Joy confessed to being mobilized by Obinna, an “Education Consultant.”
- 2.5. Meanwhile in the course of their detention the security guard examined Susan’s phone which was in his custody and recovered a WhatsApp chat detailing a ₦500,000 payment. He also made a video recording of the confession of Susan and Joy on his Techno mobile phone.
- 2.6. The suspects were eventually handed over to the police. In a swift move the Police arrested Paul Obinna and filed charges bordering on conspiracy to commit fraud, fraud and impersonation at the Labule Chief Magistrate’s court against Obinna, Joy, John Emeka and Susan.
- 2.7. In the course of Obinna’s arrest a list of examination centres together with the names and account details of persons including those for Susan and Joy were found on him.

¹ Administration of Criminal Justice Act 2015

- 2.8. In the course of trial although the confessional statements were disputed by the defendants as being unlawfully procured, the court reserved ruling on their admissibility until judgment. The chat records and the inventory of account details were however admitted by the court.
- 2.9. The Prosecution has closed its case and the Defendants now bring this no-case submission before your Worship.

3.0. ISSUES FOR DETERMINATION

- 3.1. The Defendants hereby formulate the following four pivotal issues for determination by your Worship:
 - 3.1.1. Whether in light of the circumstances surrounding the making of the Defendants' confessional statements, the Prosecution can rely on same in establishing a case against the Defendants?
 - 3.1.2. Whether in light of the admissible evidence adduced, the Prosecution has established a prima facie case of conspiracy to commit fraud against the Defendants?
 - 3.1.3. Whether the essential elements of the offence of fraud have been established by the Prosecution in light of the admissible evidence adduced?
 - 3.1.4. Whether the essential elements of the offence of impersonation have been proved by the Prosecution in order to secure a conviction against the Defendants?

4.0. LEGAL ARGUMENTS

- 4.1. **WHETHER IN LIGHT OF THE CIRCUMSTANCES SURROUNDING THE MAKING OF THE DEFENDANTS' CONFESSIONAL STATEMENTS, THE PROSECUTION CAN RELY ON SAME IN ESTABLISHING A CASE AGAINST THE DEFENDANTS?**
 - 4.1.1. On this issue, it is the Defendants' firm, pungent, and unequivocal submission that the confessional statement of the Defendants, Joy Sani and Susan Adebayo, obtained under duress and tendered by the Prosecution cannot constitute legally admissible evidence for purposes of the conviction of the Defendants in the instant case. The Defendants premise this submission on the fact that:

- A. The confessions of the first and third Defendants were obtained under circumstances constituting *oppression* as contained in Section 29(4) of the Evidence Act, 2011;
- B. In the alternative, Mr. Lookman's threats constitute a vitiating element under Section 29(2)(b) to render the confession of the Defendants unreliable in the circumstances; and
- C. Even assuming, *arguendo*, that the Defendants' confessional statements were admissible before your Worship, same cannot constitute a ground for the conviction of the second and fourth Defendants as confessions are binding only on the maker.

4.1.2. All three points will be addressed *seriatim*.

A. The confessions of the first and third Defendants were obtained under circumstances constituting oppression as contained in Section 29(4) of the Evidence Act

4.1.3. Pursuant to Section 29(2) of the Evidence Act, "*if in any proceedings where the prosecution proposes to give in evidence a confession made by a Defendant, it is represented to the court that the confession was or may have been obtained... (a) by oppression of the person who made it....the Court shall not allow the confession to be given in evidence against him except in so far as the prosecution proves to the Court beyond reasonable doubt that the confession (notwithstanding that it may be true) was not obtained in a manner contrary to the provisions of this section.*"²

4.1.4. The Act goes further in sub (4) of the same Section to clarify the import of the term "oppression" as used in Section 29(2) to include "torture, inhuman or degrading treatment, and the use or threat of violence whether or not amounting to torture."³

4.1.5. It is also crucial to note that under Nigerian law, the burden rests not on the Accused to prove the involuntariness of his confessional statement, but

² Evidence Act 2011, s. 29(2)

³ *Ibid.*, s. 29(4)

squarely on the Prosecution to prove (beyond reasonable doubt) that the confession tendered was obtained voluntarily.⁴

- 4.1.6. Thus, the question that begs answers in the present case is simple: From a careful examination of the evidence before this Court, has the Prosecution successfully discharged its burden of proving that the confessional statements of the first and third Defendants were obtained voluntarily?
- 4.1.7. The Defendants answer this question in the negative and submit that the circumstances in which the confessional statements of Ms. Susan Adebayo and Mrs. Joy Sani were obtained were inhuman and degrading and, thus, constitute oppression within the meaning of Section 29(4).
- 4.1.8. From the facts of the case as noted in para 2.2 of the Defendants' Statement of Facts, upon the Defendants' "apprehension" by one Mr. Lookman, they were held for "**48 continuous hours**" in a "**small, unventilated maintenance closet used as a makeshift store-room**", denied water, prevented from contacting their families or a qualified legal practitioner, and subjected to "**relentless on-the-spot interrogation**" by Mr. Lookman and one security guard. Your Worship, this treatment transcends inhuman, it is wicked.
- 4.1.9. In *Uzoukwu v. Ezeonu II*, the Court of Appeal defined the phrase "inhuman treatment" to mean "*any barbarous or cruel act or acting without feeling for the suffering of the other.*"⁵ Keeping in stride with this interpretation, the Court of Appeal held in *Okafor v. Lagos State Gov* that the actions of certain Lagos State Government officials in transporting a woman in a Black Maria that had very little light or ventilation and that was commonly used to transport hardened criminals constituted inhuman treatment.⁶
- 4.1.10. Relying on the decisions in *Uzoukwu (supra)* and *Okafor (supra)*, the Defendants submit without equivocation that by keeping the Defendants for a continuous period of 48 hours in a small, unventilated maintenance closet without due process and without access to water, family, or qualified legal counsel, Mr. Lookman subjected the Defendants to treatment that can only be,

⁴ See Section 29(2)(b) Evidence Act; *Joe Atua v The State* (1975) NMLR 60 at 65; *Adekanbi v A.G. Western Nigeria* (1966) 1 All NLR 47

⁵ (1991) 6 NWLR (Pt. 200) 708 at 764-765, paras. F-A

⁶ (2017) 4 NWLR (Pt. 1556) 404 at 434 para H

even in the most liberal of interpretations, classified as inhuman and consequently, any confession extracted in the circumstance is void and wholly inadmissible before this Honourable Court.

B. In the alternative, Mr. Lookman's threats constitute a vitiating element under Section 29(2)(b) to render the confession of the Defendants unreliable in the circumstances

- 4.1.11. Moving to the second point, the Defendants submit that even in the unlikely scenario where this Court holds that the circumstances in which the confession of the first and third Defendant were obtained did not amount to oppression, the threats by Mr. Lookman would still constitute “*something said or done which was likely, in the circumstances existing at the time, to render unreliable any confession which might be made by [the Defendants] in such consequence*” as contained in Section 29(2) of the Evidence Act and, consequently, render the said confessions inadmissible before this Court.
- 4.1.12. In his book, *The Law of Evidence in Nigeria*⁷, a celebrated evidence law scholar, Prof. J. A. Dada, explains that Section 29(2)(b), what he terms the vitiating element of unreliability, would include situations of “*inducement, threat, promise, or such other thing which may render a confessional statement involuntary under the Act.*” Relying on this exposition, the Defendants submit that the threats made by Mr. Lookman to the 1st and 3rd Defendants constitute a vitiating element liable to make the confessions of the Defendants unreliable.
- 4.1.13. Specifically, Mr. Lookman's threats of permanent disqualification from professional practice and invocation of the severest possible penalty unless the Defendants “cooperated” constitute inducement liable to render the resulting confessional statements inadmissible.
- 4.1.14. This submission of the Defendants is not brought before your Worship naked but clothed and fortified with a plethora of heavy-hitting legal authorities. In the case of *R v Coley*⁸ where a Defendant was told “if you don't tell me, you may get yourself in trouble and it will be worse for you,” it was held that same

⁷ (Second Edition) at p.373

⁸ 10 Cox CC 536

constituted inducement and rendered the resulting confessional statement inadmissible. Similarly, in *Dairo v. F.R.N*⁹, it was held that a statement to an accused person to cooperate so he will not be prosecuted was sufficient to constitute an inducement.

4.1.15. Furthermore, in the recent case of *Dondos v State*¹⁰, the Supreme Court held that for an inducement, threat or promise to make a confessional statement inadmissible, two crucial conditions must be fulfilled, namely: “*it must have reference to the charge against (a) the defendant; and the defendant should believe that by making the statement, he would gain advantage and (b) avoid evil even if temporarily.*”

4.1.16. The Defendants ardently submit that the facts of the present case fulfil the Supreme Court’s bipartite test. Mr. Lookman’s threat was one directly related to the charge of the Defendants (disqualification from professional practice and the imposition of the maximum possible punishment) as well as one that made the Defendants believe that by confessing, they would gain some advantage or, at the very least, avoid the grave evil of losing their professional qualifications or facing severer punishment.

C. Even assuming, arguendo, that the Defendants’ confessional statements were admissible before your Worship, same cannot constitute a ground for the conviction of the second and fourth Defendants as confessions are binding only on the maker.

4.1.17. Lastly, on this issue, the Defendants submit that even assuming arguendo that the confessional statements of the 1st and 3rd Defendant were admissible before this Court, such statements would be wholly immaterial as regards the guilt or otherwise of the 2nd and 4th Defendants.

4.1.18. The principle of law positing that a confessional statement binds only the maker is trite and backed by a string of judicial authorities. In *Shkete v NAF*¹¹ the Court of Appeal held that a confessional statement made by an accused person implicating a co-accused cannot, without more, be taken as establishing the co-accused’s guilt. The Supreme Court, echoing a similar stance, held in

⁹ (2012) 16 NWLR (Pt. 1325) 129 at p.196 para G

¹⁰ (2021) 9 NWLR (Pt. 1780) 24

¹¹ (2000) FWLR (pt. 29) 2438,

*Samson Emeka v The State*¹² that the confession of an accused person explaining the role his co-accuseds played in the dastardly murder of a prostitute could not be held against them.

4.1.19. As it would constitute an error in law to convict an accused on the statement of another accused (*see Ozaki v The State [1990] 1 NWLR (pt. 124) 90*), the Defendants respectfully submit that even assuming that by some unlikely stroke of divine providence, the confessions of Ms. Susan Adebayo and Mrs. Joy Sani are deemed admissible before this Honourable Court, the said confessional statements would be wholly immaterial as regards the guilt of the 2nd and 4th Defendants. It is so submitted.

4.2. **WHETHER IN LIGHT OF THE ADMISSIBLE EVIDENCE ADDUCED, THE PROSECUTION HAS ESTABLISHED A PRIMA FACIE CASE OF CONSPIRACY TO COMMIT FRAUD AGAINST THE DEFENDANTS?**

4.2.1. On this issue, the Defendants ardently submit that not only has the Prosecution failed to establish a prima facie case of conspiracy to commit fraud against the Defendants, it has also failed to adduce any credible evidence linking the Defendants to the commission of the said offence.

4.2.2. Pursuant to Section 422 of the Criminal Code Act¹³, the offence of conspiracy to defraud is defined as “*conspiring with another by deceit or any fraudulent means to affect the market price of anything publicly sold, or to defraud the public, or any person, whether a particular person or not, or to extort any property from any person.*”

4.2.3. Flowing from the above definition, it is clear that for a Defendant to be found guilty of the offence of conspiracy to defraud, it must be established beyond reasonable doubt that they:

- A. Conspired with another; and
- B. Such conspiracy must have been calculated to (i) fraudulently affect the market price of anything publicly sold; (ii) defraud the public or any person; or (iii) extort any property from any person.

¹² (2001) FWLR (pt. 66) 682 S.C.

¹³ Criminal Code Act Cap C38, Laws of the Federation of Nigeria 2004.

4.2.4. The Defendants submit that the evidence adduced by the Prosecution in the present case is insufficient in establishing the existence of the aforementioned elements. For purposes of organizational clarity, the non-existence of both elements vis-à-vis the facts of the present case shall be addressed *seriatim*.

A. *Conspired with Another*

4.2.5. Your worship, conspiracy was defined by the Supreme Court in *Posu v. State* as the agreement of two or more persons to commit an illegal act.¹⁴

4.2.6. The law is settled as held in *Ikuforiji v. F.R.N*¹⁵ that although the agreement itself is the offence, proof is often derived circumstantially. To convict on circumstantial evidence in a conspiracy case, the evidence must satisfy a stringent test: it must link the accused person and fix them to the offense charged, pointing unmistakably and irresistibly to the commission of the offence.¹⁶

4.2.7. Crucially, the circumstances must be incapable of being reasonably explained on any other hypothesis than the guilt of the accused on the specific charge.

4.2.8. Following the inadmissibility of the confessional statements as established by the Defendants while addressing the first issue¹⁷ the **only evidence** supporting the Prosecution's case are chat records detailing a N500,000 payment and a list of examination centers and account details obtained from the 4th Defendant. The question that begs determination by Your Worship is simple: can the mere evidence that certain payments were made by the 4th Defendant to the other Defendant lead irresistibly to the conclusion that the Defendants conspired to defraud?

4.2.9. The Defendants answer this question firmly in the negative. WhatsApp chats detailing that certain payments were made cannot, without more, serve as conclusive proof of the agreement of the Defendants to commit any illegal act. As it is trite that any doubts must be resolved in favour of the Defendants, the Prosecution's failure to explain the purpose for which the N500,000 was made collapses the case of the Prosecution in its entirety.

¹⁴ (2011) 2 NWLR (Pt. 1234) 393

¹⁵ (2018) 6 NWLR (Pt. 1614) 142

¹⁶ Also see *Upahar v. State* (2003) 6 NWLR (Pt. 816) 230

¹⁷ See paras 4.1.1 to 4.1.19 of Defendants' Brief

B. Such conspiracy must have been calculated to (i) fraudulently affect the market price of anything publicly sold; (ii) defraud the public or any person; or (iii) extort any property from any person.

4.2.10. On this second premise, the Defendants submit that the import of Section 422 of the Criminal Code is clear. For the offence of conspiracy to defraud to be complete, such conspiracy must have been done in a calculated attempt to commit any of the fraudulent acts delineated in the aforementioned Section viz: (i) fraudulently affecting the market price of anything publicly sold; (ii) defrauding the public or any person; or (iii) extorting any property from any person.

4.2.11. From the evidence adduced before this Honourable Court and the facts as noted in the Defendants' Statement of Facts set out in *paras 2.1 to 2.9* above, at no point is it mentioned or even alluded to that the Defendants set out to in anyway affect the market price of anything publicly sold, defraud the public, or extort any property from any person.

4.2.12. Even assuming arguendo that the claims of the Prosecution had any merit (they do not), the gist of the Prosecution's case would be that the Defendants committed personation, a distinct offence codified in the Examination Malpractices Act.

4.2.13. As the evidence adduced before this Honourable Court is grossly insufficient to sustain the charge of conspiracy to defraud against the Defendants, the case of the Prosecution holds no water, rests on shaky ground, and must fall like the Biblical walls of Jericho. The Defendants so submit.

4.3. WHETHER THE ESSENTIAL ELEMENTS OF THE OFFENCE OF FRAUD HAVE BEEN ESTABLISHED BY THE PROSECUTION IN LIGHT OF THE ADMISSIBLE EVIDENCE ADDUCED?

4.3.1. On this issue, it is the Defendants' firm and unequivocal submission that that the prosecution has not only failed to prove fraud but failed to link the defendants to the said offence.

4.3.2. The Defendants premise this submission on the fact that:

A. There is no offence of "fraud" provided for under the Criminal Code Act;
and

B. Even assuming the charge of the Prosecution relates to the well-known provisions of Section 419 relating to obtaining by false pretenses, the evidence adduced by the Prosecution in the present case would be insufficient to sustain the charge.

4.3.3. Both limbs of this argument shall be addressed *seriatim*.

A. There is no offence of “fraud” provided for under the Criminal Code Act

4.3.4. As is noted in para 2.6 of the Defendants’ Statement of Facts, after the 1st, 2nd, and 3rd Defendants were handed over to the Police by Mr. Lookman, “*the Police arrested Paul Obinna [the 4th Defendant] and **filed charges bordering on conspiracy to commit fraud, fraud and impersonation** at the Labule Chief Magistrate’s court against Obinna, Joy, John Emeka and Susan.*” (Underlined and emboldened for emphasis).

4.3.5. Pursuant to a combined reading of Section 11 of the Criminal Code Act and Section 36(12) of the 1999 Constitution (as amended), no person shall be punished or convicted for doing an act or making an omission unless the act or omission constituted an offence defined under a written law in force when it occurred. This principle has received judicial fortification in a plethora of cases including *Aoko v Fagbemi*¹⁸ and *Okafor v. Lagos State Gov (supra)*.

4.3.6. As a careful perusal of the Criminal Code Act and other relevant criminal legislations would reveal no such offence termed “fraud”, any conviction of the Defendants based on the charge would be a gross violation of the Defendants’ right to fair hearing under Section 36(12) of the Constitution.

B. Even assuming the charge of the Prosecution relates to the well-known provisions of Section 419 relating to obtaining by false pretence, the evidence adduced by the Prosecution in the present case would be insufficient to sustain the charge.

4.3.7. For purposes of clarity, the offence of obtaining by false pretence (O.B.F.P) which receives normative fortification under section 419 of the criminal code Act is defined as follows: “Any person who by any false pretence, and with intent to defraud, obtains from any other person anything capable of being stolen, or induces any other person to deliver to any person anything capable

¹⁸ (1961) 1 All NLR 400

of being stolen, is guilty of a felony and is liable to imprisonment for three years.”

- 4.3.8. Your worship, the law is trite that to secure a conviction for O.B.F.P., the Prosecution must prove four core elements, including the following: (i) that there was a pretence; (ii) that the pretence was false; (iii) that there was an intention to defraud; and most critically, (iv) that the accused person induced the owner to transfer his whole interest in the property or thing capable of being stolen. (see *Duru v. F.R.N.*¹⁹)
- 4.3.9. In *Ikpa v. The State*, the Supreme Court clarified that these elements are mutually inclusive and failure of the Prosecution to prove any of the aforementioned elements would be fatal to its case.²⁰
- 4.3.10. The facts detail an alleged scheme of personation during a professional examination. While this act may be inherently deceitful and punishable under the Examination Malpractices Act, the Prosecution elected to pursue the general charge of O.B.F.P., thereby assuming the burden of proving its specific elements.
- 4.3.11. The evidence presented fails to demonstrate that the defendants successfully induced a victim (the Examination Body) to transfer their whole interest in any property. The only potential item obtained from the Examination Body was the opportunity to sit for the examination. The transfer of the privilege of participation is legally distinct from the transfer of proprietary interest (such as money or chattel) as required by the law.
- 4.3.12. Furthermore, the only financial figure mentioned, the ₦500,000 is not property obtained from the victim by the false pretence but payments made by the 4th Defendant, Obinna, for the rendering of some service. As the Prosecution has failed to lead any admissible evidence proving that a specific victim was induced to part with their whole interest in property, an indispensable element of the charge of Fraud (O.B.F.P.) remains unproven. The charge, therefore, cannot be sustained against any of the defendants and the case of the Prosecution must fail on this ground. It is so submitted.

¹⁹ (2018) 11 NWLR (Pt. 1632) 20 (S.C)

²⁰ (2018) 4 NWLR (Pt. 1609) 175

4.4. **WHETHER THE ESSENTIAL ELEMENTS OF THE OFFENCE OF IMPERSONATION HAVE BEEN PROVED BY THE PROSECUTION IN ORDER TO SECURE A CONVICTION AGAINST THE DEFENDANTS?**

- 4.4.1. On this fourth and final issue, the Defendants contend that from the totality of the evidence adduced before this Honourable Court, the Prosecution has failed to establish the offence of personation against the Defendants.
- 4.4.2. Pursuant to Section 3(1) of the Examination Malpractices Act, for a person to be convicted of the offence of personation, he must either (i) falsely represent himself to be a candidate sitting for the examination; or (ii) write or attempt to write a paper in the name of some other person whether that name is the name of a person living or dead. The Defendants submit that nothing in the evidence adduced before this Honourable Court sufficiently establish either of these scenarios beyond reasonable doubt.
- 4.4.3. As is noted in *para 2.8* of the Statement of Facts, the only evidence admitted before this Honourable Court in proof of the charge against the Defendants is a record of WhatsApp chats detailing a N500,000 payment and a list of examination centers gotten from the 4th Defendant.
- 4.4.4. Neither of these exhibits establish that the Defendants either falsely represented themselves to be candidates nor that they wrote or attempted to write a paper on behalf of some other person. In fact, not only is the evidence adduced before your Worship mostly irrelevant without further context in establishing any guilty conduct whatsoever, the Prosecution has also failed to provide crucial evidence to substantiate their unfounded charges.
- 4.4.5. For instance, if the Defendants had in fact gone to the Oleku Examination Center to impersonate, who exactly were they impersonating? Why wasn't the name tendered before this Court? If the Prosecution alleges that they were caught impersonating by one Mr. Lookman, where is the proof of their impersonation? Where are the scripts in which they wrote the name of someone other than themselves?
- 4.4.6. Pursuant to the provisions of Section 135(1) of the Evidence Act (2011), allegations of criminal conduct against a Defendant must be established **beyond reasonable doubt**. Thus, where material doubts exist as to the guilt

of an accused person such doubts must be resolved in favour of the accused (see *Namsoh v The State*²¹).

- 4.4.7. Your Worship, if all the Prosecution have in support of their very serious allegation of impersonation are a WhatsApp payment receipt and a list of examination centers, how then can it be said that the Prosecution has successfully discharged its burden beyond reasonable doubt?
- 4.4.8. In *Adenekan v. The State of Lagos*²², the Court held that: “*Where the evidence adduced by the prosecution in proof of an offence against an accused person does not cover or establish all the vital elements or ingredients which constitute the offence as defined by law or it is neither legally admissible nor sufficiently credible or is susceptible to other possible hypothesis than one consistent with the guilt of the accused person, then the standard of proof beyond reasonable would not have been attained or met in the proof of the crime/offence as required by the law*”.
- 4.4.9. On the heels of the authorities cited, we pray this honourable Court to find that the Prosecution, having failed to prove the essential elements that constitute the offence of impersonation, cannot impute guilt on the Defendants and consequently, this Court cannot convict the Defendants on the count charge of impersonation.
- 4.4.10. It is so submitted.

5.0. CONCLUSION

- 5.1. It is based on the arguments canvassed above that the Defendants pray that this Honourable Court rule in favour of the no-case submission put forth by the Defendants and discountenance the evidence tendered by the Prosecution as insufficient in establishing a prima facie case against the Defendants.

6.0. INDEX OF AUTHORITIES

6.1. Cases cited

- 6.1.1. *Aoko v. Fagbemi* (1961) 1 All NLR 400
- 6.1.2. *Adekanbi v. Attorney-General of Western Nigeria* (1966) 1 All NLR 47
- 6.1.3. *Adenekan v. The State of Lagos* (2021) 1 NWLR (Pt. 1736) 130

²¹ (1993) 6 SCNJ (pt. 1) 55 at 69

²² (2021) 1 NWLR (pt. 1736) 130, p. 177, paras. b-c

- 6.1.4. Dairo v. Federal Republic of Nigeria (2012) 16 NWLR (Pt. 1325) 129
- 6.1.5. Dondos v. State (2021) 9 NWLR (Pt. 1780) 24
- 6.1.6. Duru v. Federal Republic of Nigeria (2018) 11 NWLR (Pt. 1632) 20 (SC)
- 6.1.7. Ikpa v. The State (2018) 4 NWLR (Pt. 1609) 175
- 6.1.8. Ikuforiji v. Federal Republic of Nigeria (2018) 6 NWLR (Pt. 1614) 142
- 6.1.9. Joe Atua v. The State (1975) NMLR 60
- 6.1.10. Namsoh v. The State (1993) 6 SCNJ (Pt. 1) 55
- 6.1.11. Okafor v. Lagos State Government (2017) 4 NWLR (Pt. 1556) 404
- 6.1.12. Ozaki v. The State (1990) 1 NWLR (Pt. 124) 90
- 6.1.13. Posu v. State (2011) 2 NWLR (Pt. 1234) 393
- 6.1.14. R v. Coley (1868) 10 Cox CC 536
- 6.1.15. Samson Emeka v. The State (2001) FWLR (Pt. 66) 682 (SC)
- 6.1.16. Shkete v. Nigerian Air Force (2000) FWLR (Pt. 29) 2438
- 6.1.17. Upahar v. State (2003) 6 NWLR (Pt. 816) 230
- 6.1.18. Uzoukwu v. Ezeonu II (1991) 6 NWLR (Pt. 200) 708
- 6.2. **Statutes cited**
 - 6.2.1. Administration of Criminal Justice Act 2015
 - 6.2.2. Criminal Code Act, Cap C38, Laws of the Federation of Nigeria 2004
 - 6.2.3. Evidence Act 2011
 - 6.2.4. Examination Malpractices Act
 - 6.2.5. Constitution of the Federal Republic of Nigeria 1999 (as amended)
- 6.3. **Books cited**
 - 6.3.1. Dada, J. A., The Law of Evidence in Nigeria (2nd edn)

Dated this 19th Day of December, 2025.



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