

# 'Chemist' loses bid to quash charge of killing woman during abortion

By Clement A. Oloyede

Peter Cletus (32), accused of causing the death of a woman that approached him for abortion has lost his no-case submission.

The FCT Police Command charged Cletus with culpable homicide in that he allegedly operated an illegal chemist and injected one Blessing Apenda with chemicals to abort her four-month pregnancy in 2012.

During the trial which started since 2013, the first prosecution witness, Dr. Chineye Emenike, an Assistant Superintendent of Police, told the court that investigation revealed that the deceased was about four months pregnant when she approached Cletus who injected her with some chemicals to induce the abortion.

She told the court that the chemical caused the death of the Fetus but that the placenta was

retained which eventually caused the death of the deceased. She added that many persons in the community saw Cletus as a doctor whereas he was just a community health worker.

The second witness, Sgt Bulus Gitai, told the court that the case was reported to the police on August 16, 2012, by Samuel Hakeem, the elder brother of the deceased, who told them that the deceased visited Cletus on August 13, 2012, for the abortion.

Gitai told the court that several exhibits, including two bottles of nidoquin injection, BP apparatus, were recovered from Cletus' house when a search warrant was effected.

He said Cletus admitted that he carried out abortion on the deceased and that when she developed stomach pains, she was referred to another hospital. He said Cletus, however, denied

committing the offence of culpable homicide.

The trial judge, Justice Jude Okeke, while ruling on Cletus' no-case submission, held that although the evidence of Dr. Emenike as to the cause of death were not admissible as they were hearsay evidence, but that the evidence led by Sgt. Bulus has established a link between the defendant and the circumstances surrounding the death of the deceased.

He held that since the law only provided for the prosecution to only establish a prima facie case at the stage of no-case submission and not prove beyond reasonable doubt the guilt of the defendant, the application by Cletus was dismissed.

Justice Okeke thereafter ordered him to enter his defence on March 15, the next adjourned date.