

S/Court discharges, acquits man convicted of murder at age 12

The Supreme Court has discharged and acquitted one Yusuf Musa who was convicted of murder at the age of 12.

Musa was arraigned before Justice Ubale Taura of a Jigawa High Court for the offence of culpable homicide punishable with death under Section 221 (b) of the Penal Code applicable to the state.

He was accused of hitting one Muhammed Hamza on the head and

other parts of the body with a stick which led to his death.

Musa (appellant) had however pleaded not guilty to the charges as according to him, his action against the deceased was in self-defence and not with intention to kill him. He told the court that he only used a stick meant for the rearing of his father's cattle to safeguard his life.

He said the deceased, also a cattle rearer, had vigorously hit him multiple

times with a similar stick to avenge for a fight he (Musa) had with his younger brother the previous day.

The trial court however activated the full wrath of the law by convicting and sentencing him to death by hanging on Dec. 23, 2008.

At the appellate court, the judgment of the trial court was partially upheld when the appellate court dismissed the death sentence but ordered Musa's indefinite

detention by the governor.

However, delivering judgment at the Supreme Court on Friday, the apex court held that both the Jigawa High Court and the Court of Appeal Kaduna, should have handled the matter better than they did.

The apex court held that there was no legal precedence that supported the decision of the Court of Appeal which orders the detention of the appellant at the pleasure of the state governor.