

5 To Die By Hanging Over Chieftaincy Tussle



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A Kogi State High Court sitting at Ankpa, Ankpa LGA has sentenced five accused persons to death by hanging for the killing of the head of the community, Chief Sylvester Sule, a retired

Navy officer, his brother Owoicho Sule and one other person.

In his ruling on Monday, the presiding judge, Justice Seidu Hussaini, found the accused persons guilty of criminal conspiracy, mischief by fire and culpable homicide contrary to sections 97(1), 337 and 221 of the Kogi State Penal Code.

A lingering disagreement between two ruling family houses in Akwu community in Akpa local government over the right to produce the village head led to a full blown violent attacks on January 29th, 2020.

In the process of the attack, three people were killed, about 22 houses set ablaze and five vehicles burnt in the community.

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After a protracted struggle to occupy the vacant stool for years, the then Ata Igala beaded one of the contenders to the throne, Sylvester Muhammedu Sule, on December 29, 2019 at his palace in Idah.

A month after, violence erupted in the community leading to the destruction of lives, including the beaded chief's and two others, and properties.

The trial of the accused persons started in 2020, went through three different judges before the fourth judge, Justice Seidu Husseini, finally delivered judgement on October 7, 2024.

Justice Hussaini said in his ruling that the five accused persons – Aliyu Amadu Makolo, Yakubu Idaji, Danjuma Yusuf, Mohammed Yusuf and Muhammed Rilwanu (Dikadi) – were found guilty in a violent attack that led to the death of three people and destruction of properties in the community.

The prosecution counsel, M. A. Abaji, averred during the proceedings that on January 29, 2020, the accused men, armed with various weapons, including machetes and locally made guns, invaded the Aku community, and set properties on fire.

In the process, Abaji added, the accused men hacked Chief Sylvester Muhammedu Sule, his elder brother, Mr Owoicho Sule Onuh and one other person to death in the community.

The prosecution counsel added that the lifeless body of one of the victims, Owoicho Sule, was thereafter dismembered, tied in a sack and dumped in a well.

In his final written address, Barrister Abaji submitted that the defendants' pleas of not guilty were only a mere denial.

He averred that the defendants utterly failed to raise a defence as to the commission of all the offenses established against them, rather, dwelt on mere denials and technicalities which he claimed

were not material or fatal to the case under prosecution.



However, the defendants pleaded not guilty as the charges when the case came up for hearing.

The counsel to the accused persons, Isaac Ekpa, in his final written addresses, said the prosecution had not proven its case beyond reasonable doubt to warrant the conviction of the defendants.

In his ruling, Justice Seidu said the prosecution had proved its case beyond all reasonable doubts, noting that “denying the commission of offense did not amount to not committing it.”

The trial judge added that the burden of proof rested on the defense counsel which he failed to achieve in the case.

“I have full satisfaction with the evidence adduced by the prosecution. The prosecution has presented its case beyond reasonable doubt.



“The five defendants (1,2,3,4,6) have been found guilty of criminal conspiracy, mischief by fire and culpable homicide punishable with death, contrary to sections 97(1) , 337 and 221 of the Kogi State penal code, and therefore sentences them to death by hanging,” he said.

Meanwhile, Justice Seidu has discharged and acquitted the two other accused persons in the case – Yakubu Ikoja and Abdulumuni Sale, the 5th and 7th respondents – for the inability of the plaintiff’s counsel to prove his case against them beyond doubt.

The prosecution counsel said efforts are being intensified to arrest other suspects said to be on the run.

He said David Adoyi Abah, Tahir Abdul, Solomon Odawn Ogbo, Jibrin Okpanachi, Farouk Okpanachi and Francis Bala Abonny, who were at large, would be arrested and made to face the law.