

Court awards N30m damages against NDLEA over suspect's death

By Afoke Ogbogho | 28 February 2017 | 4:30 am

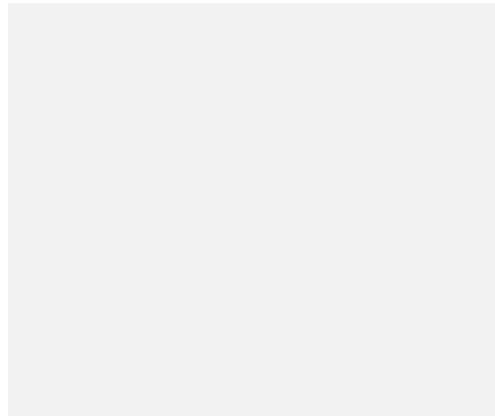


NDLEA

A Federal High Court, Lagos, has awarded N30 million against the National Drug Law Enforcement Agency (NDLEA) as exemplary damages over the death of a transporter, Mr. Gabriel Ozeigbe Eigbefoh in their custody.

Trial judge, Justice Jude Dagat, in his ruling on a fundamental rights application by the deceased's lawyer, Mr. Stevenson Okuchemiya held that the acts of the operatives of the NDLEA were unlawful, unconstitutional and a breach of his right to life as guaranteed under the 1999 constitution (as amended) resulting in the untimely and premature death of the deceased.

He further ordered the respondents to immediately release the corpse of the deceased, for burial forthwith. The ruling followed the application filed by the children of the deceased, Mr. Stephen and Godfrey Ozeigbe Eigbefoh on behalf of the family.



The fundamental human rights action marked as FHC/L/CS/779/2015 sought compensation for the unlawful and unconstitutional breach of the deceased right to life, which lead to his premature death.

According to court documents, the deceased was arrested on February 19, 2015 by officials of the NDLEA along Gbaji junction near Seme border with substances suspected to be illicit drugs.

The deceased nonetheless explained that he was just a transporter and never knew about nor was he aware of the contents concealed in the tyres he was conveying to Togo, he was however arrested, detained and allegedly tortured to death.

It would be recalled that Nigerian actor, Mr. Babatunde Omidina, popularly known as Baba Suwe had filed an appeal at the Supreme Court against the decision of the Court Appeal to quash the N25 million awarded as damages to him against the NDLEA.

Justice Yetunde Idowu had on November 24, 2011 ordered NDLEA to pay N25 million to Baba Suwe as compensation for detaining him for several days over false allegation of drug trafficking; weeks later, the Court of Appeal slammed the judgment saying it is erroneous, oppressive and superfluous.

Baba Suwe's counsel, late Bamidele Aturu filed the application seeking an order from the Supreme Court setting aside the decision of the Court of Appeal and affirming the decision of the lower court.