

Man bags 14 years in prison for sister's death

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One Obinna Udefi has been sentenced to 14 years imprisonment by an Igbosere High Court in Lagos State for the death of his younger sister, Oluchi, in 2009.

Udefi was convicted on one count of involuntary manslaughter after the judge, Justice Adedayo Akintoye, discharged him of the offence of murder.

The judge upheld the defendant's argument, made by his counsel, Mrs Grace Adenubi, that he did not deliberately kill Oluchi as claimed by the Lagos State Government.

The state had alleged that Udefi stabbed Oluchi in the stomach with a broken bottle, because she refused to give him food, which led to her death.

He spent nine years in prison custody during the trial, which began with Justice Adeniyi Adebajo, but was concluded by Justice Akintoye.

Justice Akintoye dismissed the state's allegation and upheld Udefi's argument that after he pushed Oluchi, she fell on a crate of empty bottles and landed on some of the bottles, which had broken on the floor. A few hours later and in unclear circumstances, she died.

The judge held, "The prosecution has been unable to prove that this act of the defendant was intentional.

"I further find that while the prosecution was unable to prove a case of murder, it had been able to establish a case of manslaughter.

"Once the deceased failed to answer the defendant or give him his food, he ought to have walked past her and get his food himself.

"It is clear that the act of the defendant caused the death of the deceased, albeit inadvertently."

She noted that there was no medical report to show the exact cause of death.

Nevertheless, the judge emphasised that although Udefi's push was done without intent to cause grievous bodily harm or death, he was responsible for the consequences.

"Obinna Udefi is hereby found guilty of manslaughter and is accordingly convicted," Justice Akintoye said.

Before sentencing, the judge asked if Udefi wanted to make an allocutus.

Adenubi, of the Legal Aid Council, prayed the court to temper justice with mercy.

She said, "The defendant lost his father due to grief after Oluchi's death. His mother is elderly and ailing. She is bereaved of her daughter and husband, now her son has been in detention for nine years. He has been in custody since 2009.

"She (Udefi's mother) had to relocate to the village. We pray your lordship to not send him back to spend more years in prison. The defendant has been very well-behaved while in custody and has even become a pastor in detention."

Following her plea, the judge said, “The defendant is hereby sentenced to 14 years imprisonment, less the period of remand from May 22, 2009.”

Udefi was arraigned before Justice Adeniyi Adebajo in June 2010 on a count of murder contrary to Section 319 of the Criminal Code Law of Lagos State, 2003.

He pleaded not guilty and the trial commenced.

Following the judge's retirement, Udefi was re-arraigned before Justice Akintoye and the case started afresh.

Again, Udefi pleaded not guilty.

During examination-in-chief by Adenubi, Udefi testified that the incident occurred on February 16, 2009, at their home in Iwaya, Yaba, Lagos.