

Ex-LG boss, 3 others bag 7 years for murder

August 13, 2017 Tony Anichebe

An Akwa Ibom State High Court has sentenced the former Vice Chairman of Ukanafun Local Government Area of the state, Simeon Daniel Udoikpe and three others, to seven years imprisonment in connection with the murder of former Deputy Speaker of the State House of Assembly and candidate of the All Progressives Congress (APC) in the 2015 general election for the Ukanafun State Constituency, Hon Okon Uwah. Udoikpe, along with Godwin Moses Udo and Akaninyene Benson Brown were in 2015 arraigned before the court on a three-count charge of conspiracy to commit murder, murder and the third count for acts causing grievous harm to Mr. Jackson Uduak, who was the Prosecution Witness number two.

The prosecution called five witnesses and tendered several exhibits. In evaluating evidence before the court, the Presiding Judge, Hon Justice Okon Okon, said account was taken of the ingredients on which the charge of murder may succeed, among them being the fact that someone died and the accused person or persons and their acts were linked to such death.

On the second count of murder, the court in evaluating the evidence before it ruled that the evidence of Pw1, Pw2 and Pw3, were "hazy", not consistent and not certain and thus the prosecution was not able to prove its case beyond reasonable doubts.

The court further stated that the cause of death could not be fixed to the acts of the accused persons on the deceased, adding that even the autopsy result as presented by the PW4, also failed to link the cause of death to the acts of the second to forth accused persons.

The court affirmed that the cause of death must be either directly or circumstantially connected to the acts of the accused persons and this has not been proved by the evidence before the court.

The court accused the police of tardiness in their investigations, saying that the police ought to have investigated such discrepancies as to when the deceased died.

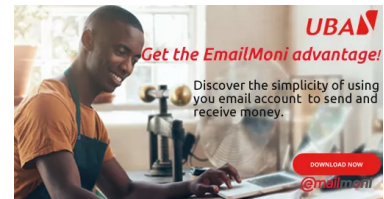
The court noted that while the PW1 and PW2 testified that the deceased did not die on the spot but made it to the hospital, the PW3 said the deceased was not allowed to be admitted at the hospital because he had already died before he was brought to the hospital.

On the charge of conspiracy, the court found the accused persons guilty.

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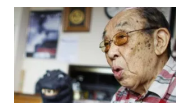


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The judge agreed with the prosecution that there was a clear conspiracy of intention in the act of the accused persons. He declared the court's rejection of the alibi of the first accused person, who was at the time of the crime the Vice Chairman of the Local Government Council.

The court relying on the call log of the first accused person noted that there was constant communication between the first accused person and all the other accused persons within the time the APC campaign meeting and the attack were being perpetrated.

The court further noted that all the acts of the former vice chairman after the incident, including his going underground, checking into a hotel in Uyo and what transpired in his conversations with some of the accused persons were certainly the acts of a guilty mind, noting that it was not difficult from evidence before the court that the IRS accused person gave the directive to attack the deceased.

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