Man bags 14 years for sexually assaulting hearing-impaired boy

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Justice Rahman Oshodi of a Lagos Sexual Offences and Domestic Violence Court, Ikeja, yesterday, sentenced a man, Success Odigoma Ude, to 14 years imprisonment for sexually assaulting a 13-year-old boy with hearing and speech impairment.  
  
  
  
The judge held that the prosecution proved the case of sexual assault against the defendant beyond reasonable doubt.  
  
The state government said Ude assaulted the boy by penetrating his anus with his penis at the Ilufe area of Ojo, Lagos, between May 2021 and August 2021.  
  
The prosecution said his offence was contrary to the provision of Section 261 of the Criminal Law, Ch.17, Vol.3, Laws of Lagos State, 2015.  
  
He pleaded not guilty to the charge when he was arraigned on February 17, 2022, and the prosecution commenced trial.  
  
During the trial, six witnesses testified: five for the prosecution and one for the defence. The defendant testified for himself and eight documents were tendered as exhibits, which were marked A to I.  
  
  
  
Justice Oshodi affirmed corroboration of the boy’s testimonies with those of the Investigative Police Officer (IPO) and the medical doctor.  
  
The boy had, in his evidence, told the court how he knew the defendant. He narrated that the defendant took him to a bar, and then bought a soft drink and meat for him.  
  
He further testified that after they left the bar, the defendant took him to a secluded place around Alaba Market where he showed him pornographic content on his phone and started licking his penis.  
  
Also, Inspector Mary Obadeyan (PW3), the IPO at Ilemba Hausa Police Division, Ajangbadi, in her testimony, explained how the boy’s mother reported the case to the division.  
  
  
  
She stressed that the victim used sign language to explain how the defendant his inserted penis in his anus.  
  
She narrated how the DPO asked her to obtain their statements, and give the boy a medical request form to go to the hospital for examination.  
  
According to her, when the result came out, the DPO directed that the case be transferred to the Gender Unit.”  
  
She said: “I took the mother and the victim to the place and the bar man recognised the victim, and explained to me that there was a particular man that used to bring the boy, buy him pepper soup, and other things. The victim also took me to one tree close to the bar, where he said the defendant led him one night, and asked him to pull his cloth.”  
  
  
  
She also explained that the crime scene and the boy’s mother’s shop were in the Ojo Local Council of Lagos.”  
  
In his judgment, Justice Oshodi held that Section 262 of the Criminal Law (supra) established the crime of an attempt to commit sexual assault by penetration: “Any person who attempts to commit the offence of rape or sexual assault by penetration commits a felony and is liable on conviction to imprisonment for fourteen years.”  
  
The court further held that the victim was a young boy of 13 and could not consent to sexual activities.  
  
Justice Oshodi said he considered all the evidence presented in the case to find the defendant guilty and convict him under Section 262 of Criminal Law.  
  
  
  
He held that the defendant was initially charged with the offence of sexual assault by penetration under Section 261, which attracts a life sentence, but he found that the evidence established an attempt rather than a complete offence.  
  
Oshodi, therefore, sentenced Ude to 14 years in prison and ordered that his name be registered as a sex offender.  
  
“The term is to run from the date of your remand on September 1, 2021. This sentence sends a clear message that sexual exploitation of society’s most vulnerable members, especially children with disabilities, will be met with condign punishment. I can only hope that during your period of incarceration, you will come to appreciate the enormity of the harm you inflicted on an innocent child for your perverse gratification,” the court held.