Bamise: Court reserves judgment on BRT driver’s rape, murder case

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A Lagos State High Court sitting at the Tafawa Balewa Square, on Thursday, reserved judgment in the case against a Lagos State Bus Rapid Transit driver, Andrew Ominikoron, accused of raping and murdering a 22-year-old fashion designer, Oluwabamise Ayanwola, in 2022.  
  
Justice Sherifat Sonaike fixed May 2, 2025, for the judgment after the prosecution and the defence adopted their final written addresses.  
  
Defence counsel, Abayomi Omotubora, while adopting the final written address, argued that the prosecution failed to provide sufficient evidence to prove Ominikoron’s guilt.  
  
He insisted that none of the testimonies from the nine prosecution witnesses directly linked the defendant’s actions to Ayanwola’s death.  
  
Omotubora also dismissed a voice note reportedly sent by the deceased to her friend as inadmissible hearsay, stating that the prosecution failed to call the friend as a witness.  
  
Challenging the prosecution’s reliance on the “last-seen” doctrine, the defence counsel stated that mere suspicion is not enough for a conviction without strong circumstantial evidence.  
  
He also argued that the testimony of a prosecution witness, who alleged she was a previous rape victim of the defendant, required corroboration.  
  
Meanwhile, the Director of Public Prosecutions, Dr Babajide Martins, in his final address, urged the court to convict the defendant and pronounce him guilty based on the testimonies of prosecution witnesses three, seven, and eight.  
  
Martins stated that the corroboration is not required in rape cases under Nigerian law.  
  
He pointed out that the defendant was last seen with Ayanwola and fled to Ososa, Sagamu, Ogun State, instead of reporting to the police an action he described as suspicious.  
  
Martins added that Ominikoron was later arrested by the Department of State Services in 2022.  
  
Regarding the voice note from the deceased, Martins cited Section 34 of the Nigerian Evidence Act, which allows the court to evaluate and assign probative value to dying declarations.  
  
Ominikoron is facing four counts bordering on conspiracy, rape, and murder preferred against him, by the Lagos State government.  
  
He was arraigned in March 2022, before the court over the rape and murder of his passenger, on February 26, 2022, at the Lekki-Ajah Expressway.  
  
The prosecution told the court that Ominikoron conspired with others now at large to rape and murder his 22-year-old passenger.  
  
The prosecution said the defendant had sexual intercourse with Ayanwole, without her consent, and murdered her, at about 7 p.m., between Lekki-Ajah Expressway and Carter Bridge, on February 26, 2022.  
  
According to the prosecution the offences committed contravened Sections 411, 223, 260, and 165 of the Criminal Law of Lagos State 2015.  
  
However, Ominnikoron pleaded not guilty, to the charges against him.