Guard jailed seven years for indecent treatment of teenager

Date: 2024-09-27

Source: https://punchng.com/guard-jailed-seven-years-for-indecent-treatment-of-teenager/

An Ikeja Sexual Offences and Domestic Violence Court, on Thursday, sentenced a 35-year-old security guard, Ogechi Eboh, to seven years imprisonment for indecent treatment and assault of a 13-year-old girl.  
  
Justice Rahman Oshodi convicted and sentenced Eboh after he was found guilty of indecent treatment and assault of the teenager.  
  
The judge held that the prosecution proved its case of indecent treatment of a child and assault against the convict but discharged him of defilement.  
  
The Lagos State Government had initially arraigned the convict, on October 31, 2018, on three counts before Sybil Nwaka (now Justice of the Court of Appeal), before he was later re-arraigned before Justice Oshodi on September 24, 2021.  
  
The prosecution had told the court that the incident occurred on May 1, 2017, at approximately 18:00 hours.  
  
The incident reportedly occurred at the Consolidated Hallmark Insurance PLC in Obanikoro, Lagos, where the convict was employed as a security guard through Halogen Security, having been posted there only one month prior.  
  
Eboh was accused of unlawful sexual intercourse, indecent treatment of a child by rubbing and sucking the 13-year-old girl’s breasts.  
  
The prosecution said that the teenager was hawking kerosene when the convict indecently assaulted her.  
  
According to the prosecution, the offences committed contravened Sections 137, 135, and 172 of the Criminal Law of Lagos State, 2015.  
  
Eboh pleaded not guilty to all the counts preferred against him.  
  
During the trial, the prosecution called two witnesses while the convict testified for himself for the defence.  
  
A certified copy of Eboh’s extrajudicial statement dated May 7, 2017, was admitted as Exhibit DEF-1.  
  
The convict in his extrajudicial statement said that he sucked the teenager’s breasts and asked her to suck his too, which she did.  
  
He also stated that he asked the girl if she was a virgin, but that she told him she was on her period, so he asked her to pull down her pants, which she did and he opened her private parts to check if she was having any menstrual flow.  
  
While delivering judgment on Thursday, Justice Oshodi held that the prosecution established count three to the standard required under  
  
Sections 135(1) and 139 of the Evidence Act.  
  
“The court finds that the prosecution established beyond reasonable doubt that the prosecutrix was a 13-year-old child at the time of the incident on May 1, 2017. This finding is supported by unchallenged testimony and corroborating evidence.  
  
“While the prosecution failed to prove the charge of defilement beyond reasonable doubt due to a lack of conclusive physical evidence and direct testimony, the court has acquitted Eboh on this count.  
  
“The charge of indecent treatment of a child has been proved beyond a reasonable doubt.”  
  
She noted that Eboh’s confessional statement (Exhibit DEF-1) provided compelling evidence of his guilt and that the court found that the convict induced a child to commit obscene acts, specifically fondling and touching her breast.  
  
“The assault charge has also been established beyond reasonable doubt.  
  
“The convict’s testimony before the court and confessional statement provide direct evidence of intentional, non-consensual physical contact of a harmful nature against the prosecutrix,” Oshodi said.  
  
Consequently, the court found Eboh guilty of two counts out of three.  
  
The prosecution team led by Mr. B. T. Boye, O. Aluko, I. D. Solarin and B. E. Okeowo urged the court to sentence the convict accordingly.  
  
While the defence counsel, Enoma Umoren and Afolabi Orekoya, prayed the court to temper justice with mercy for the defendant.  
  
The judge said, “I have carefully considered your plea at sentencing and the prosecution’s submissions that you be sentenced according to the law.  
  
“After weighing both aggravating and mitigating factors, I find that the aggravating factors outweigh the mitigating factors in this case.  
  
“The primary aggravating factor is the sexual exploitation of a young, vulnerable girl of 13 years old.  
  
“You were in a position of trust as a security guard. This act represents a severe breach of societal norms and the law’s intent to protect children from such exploitation. As a mitigating factor, I note that you are a first-time offender.”  
  
The court further acknowledged that the convict had been in custody since he was arrested on May 7, 2017. Taking all these factors into account, the court therefore sentenced him on count two, (indecent treatment of a child) to seven years imprisonment.  
  
While on the count three assault, he was sentenced to one-year imprisonment.  
  
Oshodi ordered that the terms of imprisonment should run concurrently, and the sentence should be calculated from May 7, 2017, taking into account the time already served.  
  
The judge also ordered that Eboh’s name be registered as a sex offender in the Sexual Offenders Register maintained by the state government.