



HUMAN & ENVIRONMENTAL DEVELOPMENT AGENDA

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13th August 2021

IGP Usman Alkali Baba
The Inspector General of Police
Louis Edet House
Shehu Shagari Way, Area 11
Garki, Abuja

Dear Sir,

COMPLAINT OF INFRINGEMENT OF THE FUNDAMENTAL HUMAN RIGHT OF MR BAKARE OPEYEMI AKEEM BY OFFICERS OF THE NIGERIA POLICE FORCE, ZONE 17, AKURE, ONDO STATE

We write on the above subject matter and on the instruction of Mr Bakare Opeyemi Akeem (hereinafter referred to as 'Mr Bakare').

Mr Bakare is a photographer and law abiding citizen of Nigeria. He came to us with a report of the injustice meted on him by the Nigeria Police Force aided by the wrong information given by Guaranty Trust Bank (hereinafter referred to as 'the bank').

Mr Bakare informed us that on the 26th day of July 2021, he was trying to recharge his phone via his Guaranty Trust Bank's banking app but it was not going through so he concluded it was due to network issue and he later went to make use of the ATM for his transaction. However, the ATM referred him to the Customer care as restrictions has been placed on his account with the bank. Mr Bakare went to the Pako, Ipaja Ayobo branch of the bank for further information on the restriction placed on his account. Mr Bakare made a complaint on the restriction on his account to the customer care representative on sit and he was told to hold-on that she noticed some irregularities on his account and she need to mail someone for clarification. While Mr Bakare was waiting for the issue to be resolved, the bank security official took Mr Bakare to the branch's Chief Security Officer (CSO) who informed him that the Nigeria Police Force through the Assistant Inspector-General of Police (AIG) office, Zone 17, Akure had instructed the bank to place the **POST NO DEBIT ORDER** on Mr Bakare's account because he was suspected of committing fraud to the tune of Three Million Naira (₦3,000,000:00) and detain him whenever he shows up. Mr Bakare was thereafter handed over to officers of the Nigeria Police Force from Moshalashi Police Station who handcuffed him and dragged him out of the bank in the presence of other customers of the bank and the general public. Mr Bakare was detained overnight at Moshalashi Police Station.

From Mashalashi Police Station, Mr Bakare was taken to Akure in handcuff by officers of the Nigeria Police Force, AIG office, Zone 17, Akure on the 27th day of July 2021. At the Police Criminal Investigation Department (CID), Zone 17, Akure, Mr Bakare paid the sum of One Hundred Thousand Naira (₦100,000:00) before he was granted administrative bail.

At Akure, Mr Bakare was detained overnight at the Criminal Investigation Department (CID), Zone 17 where at, he was traumatized by other detainees and feared for his life. He was interrogated and rough handled by Officers of the Nigeria Police Force

THE NIGERIA POLICE
ZONE 17 AKURE
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"33711"

The Complainants accused Mr Bakare of committing fraud against them. They aver that they transferred Three Million Naira (₦3,000,000:00) to Mr Bakare's Guaranty Trust Bank account in exchange for bitcoin. The Investigating Police Officers (IPOs) are Supol Samuel (07036315282) and one Mr Tope (07069383299). Mr Tope who was clearly a junior officer in charge of the case went to the bank to print out Mr Bakare's statement of account and on a careful perusal of the statement, the transaction the Complainants accused Mr Bakare of did not reflect in Mr Bakare's Statement of account. A friend of the Complainant who was present at the Police Station said he had at a time also transferred money to a Bakare Opeyemi Akeem's Guaranty Trust Bank account; he also printed out his Statement of Account and behold, that transaction did not reflect in Mr Bakare's Statement of Account. It was then that the Complainant and the IPO realized that Mr Bakare is not the Bakare Opeyemi Akeem the Complainant transacted with.

The IPO; Mi Tope, Complainant and Mr Bakare went to the Akure branch of the bank and there, it was discovered that the bank negligently flagged Mr. Bakare as the Bakare Opeyemi Akeem that defrauded the Complainant without any verification or due diligence.

After the mix up was clarified, Mr Bakare was cleared of the allegation against him and released by the Nigeria Police Force on the 30th day of July 2021. When Mr Bakare was released, the IPO told him that **"he is a lucky man and he should thank God he did not suffer for someone else's deed."** Mr Bakare had to amongst others, bear the cost and trauma of travelling back to Lagos.

Mr Bakare suffered a great deal both emotionally and physically from the Nigeria Police Force and his fundamental right to dignity of his human person, personal liberty and freedom of movement were infringed upon by officers of the Nigeria Police Force without any just cause. His family went through great difficulties to raise the bail amount of ₦100,000:00 (One Hundred Thousand Naira). Although only ₦40,000:00 (Forty Thousand Naira) was refunded to him after he was exonerated. Mr Bakare had to suffer a great reputation blow when he was handcuffed and dragged out of the Bank branch at Pako, Ipaja, Ayobo by Officers of the Nigeria Police Force with the aid of the bank's security officers.

Since Mr Bakare had been cleared of the false allegation against him by the Nigeria Police Force, the bank has not lifted the POST NO DEBIT restriction placed on Mr Bakare's account till date. This only shows that the negligence act of the bank is a continuous one and Mr Bakare has continued to suffer greatly from this negligent act.

It is noteworthy that in a recent decision by Justice Inyang Ekwo of the Federal High Court in the case of **Esiso & Ors. V. Esiso & Ors (FHC/ABJ/CS/1635/2019)**, it was held that a Magistrate or the Police does not have the power to issue or post a no debit order on a customer's account.

It is clear from the foregoing that the Officers of Nigeria Police Force, Zone 17, did not conduct an independent investigation on the allegation of fraud levelled against Mr Bakare to confirm its accuracy and unfortunately, Mr Bakare and his family had to suffer from the incompetence of the officers of the Nigeria Police Force. In the case of **Onah v. Okenwa & Ors. (2010) 7 NWLR (Pt. 1194) pg. 512 @535** the Court of Appeal held that: once criminal allegations are made against a citizen, it is a constitutional and statutory duty of the police to investigate, as investigation and detection of crime is one of the primary duties assigned to the police under section 4 of the Police Act.

We therefore demand for **a public apology to be issued by the Nigeria Police Force to Mr Bakare Opeyemi Akeem and published in a national newspaper, within seven (7) days of**

the receipt of this letter otherwise a legal action shall be instituted on behalf of Mr Bakare Opeyemi Akeem to enforce his Fundamental Human Rights.

For the sake of promoting a friendly image and reputation between the Nigeria Police Force and the citizens, we encourage the Nigeria Police Force to meet our demand and tender the public apology.

Kindly accept our warm regard as we continue to partner with the Nigeria Police Force to build a highly professional Nigeria Police Force.

Yours faithfully,



Mr Sulaimon Arigbabu
Executive Secretary

✓ Cc:

AIG Ene E. Okon
Assistant Inspector General of Police in- charge of Zone 17
Zone 17, Akure
Ondo State