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Again, Fani-Kayode's Absence Stalls His Trial

The trial of former Aviation Minister, Femi Fani-Kayode, before Justice John Tsoho of the Federal High Court, Abuja, could not hold on Wednesday, December 2, 2020, and for the third consecutive time due to his absence in court.

Fani-Kayode is facing a five-count charge of money laundering to the tune of N26million, preferred against him by the Economic and Financial Crimes Commission, EFCC.

At today's trial, prosecution counsel, M. S. Abubakar, expressed displeasure at the defendant's recurring absence in court, noting that the unnecessary delays which such has caused in the trial defeat the spirit of the Administration of Criminal Justice Act of 2016 (ACJ)...

...which is for speedy administration of justice in the country. He therefore applied for a bench warrant against Fani-Kayode.

"My lord, on January 22, 2019, the defendant was neither in court, nor was he represented. But the court gave him a benefit of the doubt, which he abused. Again, on October 21, 2020, the defendant was also not in court.

We applied for issuance of a bench warrant against him, but the court declined and gave the defendant another chance.

"My lord, we are here again this morning and the defendant is not in court and not any excuse was tendered on record by the learned counsel.

“In line with the antecedence of the defendant, and based on Section 184 of ACJ, we humbly apply for the court to issue a bench warrant against the defendant for his arrest and detention,” Abubakar stated, praying also that the arrest warrant be extended to Fani-Kayode’s surety.

The defence counsel, Wale Balogun, however, opposed the application, stating that it was on record that the matter has been on in court for four years, with the defendant attending all the proceedings, except on a few instances due to medical reasons...

...stating that the defendant’s absence at the October adjourned date was due to the curfew, imposed in Lagos State by the state government due to the EndSARS protest.

He disclosed that his client’s inability to be in court today was on health grounds and tendered a copy of his doctor’s report, from General Hospital Kubwa, Abuja in support.

He urged the court to discountenance prosecution’s application for a bench warrant for lack of merit, assuring the court of his client’s presence in the next adjourned date.

Justice Tsoho ruled in favour of the defence counsel and adjourned the matter till February 23 and 24, 2021 for continuation of trial.