IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY,
IN THE ABUJA JUDICIAL DIVISION,
HOLDEN AT COURT NO. 7 MAITAMA, ABUJA.
BEFORE HIS LORDSHIP: HON. JUSTICE O. A. MUSA.

SUIT NO: FCT/HC/CV/1392/2026

BETWEEN:

JOHNMARY CHUKWUKASI JIDEOBI, ESQ. ... APPLICANT

AND

IMMACULATA NKIRUKA IKENWANKWOR ... RESPONDENT

JUDICIARY N500 HIGH COURT OF THE FEDERAL CAPITAL TERRITORY No: C4302838

JUDGMENT

DELIVERED ON THE 3RD JUNE, 2026

By an Originating Motion on Notice, filed on the 26th day of March, 2026, the Applicant commenced this action pursuant to the Fundamental Rights (Enforcement Procedure) Rules, 2009, and pillared on alleged desecration or attempted desecration of his fundamental rights reflected in sections 33, 34, 37 and 43 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), and sections 4, 5, 16 & 17 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act. The Applicant and the Respondent were in an intimate relation. The Applicant contends that during and after the relationship the Respondent engaged in conduct amounting to:

1. covert recording of private communications without consent;

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2. threats to his life;
3. intimidation and coercive communications;
4. improper use of police and legal processes as leverage against him; and
5. continuing interference with his constitutional rights.

The Respondent denies the allegations and maintains that she is herself the victim of wrongdoing by the Applicant. The central question before the Court is whether the conduct complained of amounts to a violation or threatened violation of constitutionally protected rights and, if so, what remedies should follow.

The Applicant is a Nigerian legal practitioner with extensive experience in litigation, constitutional law, criminal defence and public law matters. He holds LLM in International Law (Conflict, Security and Human Rights) from the University of Hull and at the material time undertaking his doctoral research in law in England. He states that he was involved in an intimate relationship with the Respondent which later deteriorated.

The Respondent is said to be the Applicant's former intimate partner who is employed as a Radiographer by the **Wrightington, Wigan and Leigh Teaching Hospitals NHS Foundation Trust**, United Kingdom. Maintaining an address at **7 Huxley Place, Wigan, with post code: WN3 5TQ**. By evidence before the Court, the Respondent graduated from a Nigerian University as a Radiographer, got married in Nigeria before travelling to the United Kingdom where she subsequently divorced. The Divorce proceedings/ Order involving the Respondent and one **Thaddaeus Kamto Ikenwankwor** before the Family Court of England and the document showing the annulment of the Respondent's previous

marriage are attached and marked as **EXHIBIT A and B**. The Respondent maintains both Nigerian (mtn) and UK telephone lines both of which are active on WhatsApp which she has always communicated at all times material to this suit [and they are: **+2347032055889** and **+447448042937].**

The Applicant seeks thirteen reliefs, including declarations that the Respondent's alleged secret audio, photographic and video recordings of the Applicant without his consent violated his constitutional right to privacy, together with orders invalidating such recordings and restraining their future use. He further seeks a declaration that statements allegedly made by the Respondent threatening to stab the Applicant while he slept constituted a violation of his right to life protected by section 33 of the Constitution. The Applicant seeks declarations that threat to institute proceedings in the United Kingdom for the purpose of compelling the Applicant to part with money violated his rights to dignity and property. He further seeks perpetual injunctions restraining further threats, recordings, publication of materials, harassment, intimidation, and communication directed at the Applicant. Finally, he sought aggravated damages in the sum of Eleven Billion Naira (**₦11,000,000,000.00)** and such further orders as the Court may deem fit.

The application was essentially supported by: an affidavit of 122 paragraphs, further affidavit of 21 paragraphs, a statement in support, a written address; numerous documentary exhibits; a certificate of compliance under section 84 of the Evidence Act, 2011; and a further affidavit filed subsequently by the Applicant. Because the Respondent resided in the United Kingdom, this Court granted leave for service outside

jurisdiction by substituted means, including courier service or email and or WhatsApp transmission. There is evidence in the record that court-ordered services were carried out by an officer of this Court. Upon service, the Respondent filed an 11-paragraphed counter-affidavit deposed to by a legal practitioner in her legal team, together with a written address. The Applicant thereafter filed a further affidavit and reply on points of law. At the hearing, learned Senior Advocate of Nigeria, **Dr. D.A. AWOSIKA, SAN**, [leading other Lawyers] appeared for the Applicant, while learned counsel **C.U. AZUBUIKE, Esq**. [leading other Lawyers] appeared for the Respondent. Both parties identified and adopted their respective processes.

SUMMARY OF APPLICANT'S CASE:

Applicant's case may be summarised under four broad heads. The Applicant alleges that throughout the relationship, and thereafter, the Respondent secretly recorded his conversations, interactions and dealings by audio, photographic and video means without his consent. He contends that the recordings were retained and disseminated to third parties and that such conduct constitutes a grave invasion of privacy protected by section 37 of the Constitution. He therefore seeks declarations, injunctive reliefs and orders invalidating the recordings. The Applicant further alleges that the Respondent threatened to stab him while he slept. He maintains that the Respondent later acknowledged making the statement and apologised for it, attributing it to anger. The Applicant states that these communications caused him genuine fear for his safety and amount to a threatened violation of his constitutional right to life.

A substantial aspect of the Applicant's complaint concerns events following a complaint made to police authorities in the United Kingdom in December 2025. The Applicant asserts that shortly after the complaint, the Respondent demanded financial reimbursement and later sought written admissions and undertakings from him under threat that police action could be revived if her demands were not met. He relies particularly on WhatsApp communications exhibited before the Court and contends that they reveal a pattern of intimidation, coercion, blackmail and pressure designed to secure financial and strategic advantage. According to the Applicant, these acts violated his dignity and property rights. The Applicant further contends that the Respondent engaged in a continuing course of conduct calculated to intimidate him, damage his reputation and interfere with his professional and personal life. He therefore seeks broad injunctive protection against further communication, recording, publication and harassment.

SUMMARY OF THE RESPONDENT'S CASE:

The Respondent's case is contained in the counter-affidavit of 11 paragraphs sworn by a legal practitioner, M.C. Umunnakwe, esq. acting on her behalf. In summary, the Respondent contends that:

1. the suit is founded on falsehood and distortion;
2. the proceedings constitute an abuse of the fundamental rights enforcement procedure;
3. she never threatened, blackmailed or extorted the Applicant;
4. any recordings in her possession arose from communications in which she was herself a participant.

5. she preserved materials solely for her protection and evidential purposes; and
6. she was in fact the victim of wrongdoing by the Applicant.

The Respondent alleges that following the breakdown of the relationship, the Applicant attended her residence in the United Kingdom, damaged property, assaulted her and was arrested following a police complaint. She maintains that she later withdrew support for the complaint after receiving assurances and partial reimbursement from the Applicant. She further denies any financial motive and contends that monies were owed to her by the Applicant. Finally, she argues that the dispute concerns private relationship grievances and does not disclose any enforceable constitutional violation.

RESOLUTION BY THE COURT:

I have carefully read the entire processes of the parties in this conflict. This Court has very carefully reviewed the divergent positions of parties as projected by their respective processes. I think I will first deal with the issue of jurisdiction raised by the Respondent. The Respondent raises a threshold objection that the present dispute is essentially a failed personal relationship and therefore falls outside the scope of the Fundamental Rights (Enforcement Procedure) Rules, 2009. It is correct that for a matter commenced under the **FREP Rules, 2009** (such as the instant matter), enforcement of fundamental rights must be the principal and not auxiliary claim. This is because where the principal claims are not fundamental rights enforcement claims, this court's jurisdiction cannot be properly activated. This legal postulation is well known. In **NWANZE V. NRC**

((2022) LPELR-59631(SC)), the **Supreme Court, Per Nweze, J.S.C. (**now of blessed memory) affirms this principle that:

"When an application is brought under the Fundamental Rights (Enforcement Procedure) Rules, 1979, a condition precedent to the exercise of the Court's jurisdiction is that the enforcement of fundamental right or securing of the enforcement thereof should be the main or principal claim and not an accessory claim, The Federal Minister of Internal Affairs and Ors. v Shugaba Abdulrahman Darman [1982] 3 NCLR 915."

I have carefully examined the reliefs endorsed on the Originating Motion on Notice brought by the Applicant herein. The principal reliefs seek declarations and injunctive remedies relating directly to:

a) the right to life under section 33 of the amended 1999 constitution;
b) the right to dignity under section 34 of the amended 1999 constitution;
c) the right to privacy under section 37 of the amended 1999 constitution; and
d) the right to property under section 43 of the amended 1999 constitution.

These are not incidental claims. They constitute the substantive foundation of the action itself. The Court is therefore satisfied that the application is properly brought under the Fundamental Rights (Enforcement Procedure) Rules, 2009. Accordingly, the objection to jurisdiction as raised by the Respondent fails and is hereby dismissed accordingly.

Before considering the substantive complaints relating to threats, privacy, dignity and injunctive reliefs, it is imperative to determine a threshold evidential issue.

At the hearing of the substantive application on **19th May, 2026**, the Learned Senior Advocate of Nigeria [representing the Applicant], **DR. D.A. AWOSIKA, SAN** argued that the counter-affidavit of the Respondent as deposed to by her Learned Counsel, **Michael C. Umunnakwe, Esq**. should be struck out. Attending to this contention early in this judgment is appropriate given its preliminary nature.

The Applicant contends through his Senior Counsel that the Respondent's counter-affidavit is incompetent because it was sworn not by the Respondent herself but by a legal practitioner who describes himself as a member of the Respondent's legal team. The Applicant further argues that the depositions are hearsay and offend the settled rule that counsel should not assume the dual role of advocate and witness in contentious proceedings. The issue therefore is whether the counter-affidavit constitutes competent affidavit evidence capable of placing the Applicant's factual assertions in dispute.

There is no doubt that the dispute before the Court concerns matters that are intensely personal and fact-sensitive. The Applicant's allegations relate to: private conversations, WhatsApp communications, events occurring during cohabitation, alleged threats, alleged non-consensual sex, alleged recordings and interactions between the parties in Nigeria and the United Kingdom. The deponent to the counter-affidavit was not shown to have been present during any of these events. Rather, he expressly disclosed that the facts contained in his affidavit were derived

from information supplied by the Respondent during consultations conducted after the relevant events had already occurred. The law draws an important distinction between information received from another person and evidence capable of proving the truth of the matters asserted. Whilst it is correct that **Section 115(4) of the Evidence Act 2011** permits a deponent to swear to facts derived from a third party in an affidavit insofar as the source of his information is properly disclosed, such depositions are of very little forensic Utility as they constitute hearsay evidence. **Section 37 of the Evidence Act 2011** defines hearsay as a statement

(a) Oral or written made otherwise than by a witness in a proceeding: or (b) Contained or recorded in a book, document or any record whatever, proof of which is not admissible under any provision of this Act, which is tendered in evidence for the purpose of proving the truth of the matter stated in it.

The cases of ***Mr. Ifeanyichukwu Okonkwo v. Vanguard Media Limited (2022) LPELR-57246 (CA)***, and ***Subramanian v. Public Prosecutor (1956) 1 W.L.R. 965 at 969*** teach that:

Evidence of a statement made to a person called as a witness may or may not be hearsay. It is hearsay and inadmissible when the object of the evidence is to establish the truth of what is contained in the statement. It is not hearsay and is admissible when it is proposed to establish by the evidence, not the truth of the statement but the fact that it was made.

In the case of ***Chief Cletus Ibeto & Anor v. Pastor Igbodi David Oguh (2022) LPELR-56803(CA),*** the direct evidence of the 2nd Appellant was the deposition of his Solicitor's Law Clerk. In holding the affidavit evidence to be hearsay evidence and inadmissible the Court of Appeal, speaking through His Lordship Akinbami JCA stated thusly:

...I have carefully perused paragraphs 4(a)-(t) of the affidavit in support of Respondent's claim in the Undefended List, I find that they disclose that they are matters which only direct evidence may suffice to establish. They proceed to the essence of the dispute, and deal with matters which, based on a consideration of the Appellants' deposition seeking to be allowed to defend, are generously contested. Evidence of Chisom Ibe, the law clerk stood as the direct evidence of the 2nd Appellant on what transpired between the Appellants and the Respondent, explaining every detail of the transaction in which he personally participated. This evidence was denigrated and hearsay deposition of a lawyer's clerk who never took part in the transaction was wrongly preferred by the lower Court. The law is trite that evidence in order to be admissible as well as enjoy probative value, ought to be rendered by a person who is not only capable of testifying as to the truth of the matter asserted, but who could be legally cross-examined as to the testimony....

I find as a fact that the facts contained in the Respondent's counter-affidavit deposed to by her Counsel are not peripheral matters. They go directly to the central disputes in this case. The truth or otherwise of those facts depends substantially upon the personal knowledge and credibility

of the Respondent herself. In those circumstances, I am unable to regard the counter-affidavit as direct evidence of the contested events.

In circumstances similar to the one which this Court is facing now, His Lordship Peter Affen, JCA in ***Ibeto & anor v. Oguh*** **[2022] LPELR-56803(CA),** relying on the Supreme Court's decision in ***Kate Enterprises Ltd v. Daewoo Nig Ltd*** **[1985] 2 NWLR (Pt. 5) 116**, cautioned as follows:

The rather forceful submission of learned counsel for the Respondent to the effect that 'a deponent of an affidavit is a witness that can depose to facts that are within his personal knowledge or information which he believes to be true and same will be admitted in Court as evidence and not treated as hearsay provided that such deponent disclosed the source of his/her information' clearly loses sight of the probative value or forensic utility of such evidence. Whilst it is correct that Section 115(4) of the Evidence Act 2011 permits a deponent to swear to facts derived from a third party in an affidavit insofar as the source of his information is properly disclosed, such depositions are of very little forensic Utility as they constitute hearsay evidence. The factum that such information was given is all that there is to such information, but qualitatively, the truth of such information is a different thing entirely: it is hearsay evidence as to the truth which remains inadmissible. That is why it is always ill-advised for a lawyer or his clerk or secretary to depose to facts intended to prove a case as they are not in any position to vouch for the truth or accuracy of information derived from clients."

Guided by the illuminating floodlights generously offered by superior courts in the cases that I have considered, I hold the firm view that the counter-affidavit of **Michael C. Umunnakwe** of Counsel for the Respondent in this matter is hearsay evidence. The fact "*that such information was given is all that there is to such information, but qualitatively, the truth of such information is a different thing entirely: it is hearsay evidence as to the truth which remains inadmissible*" [in the language of Affen, JCA in ***Ibeto & anor v. Oguh*** **(supra).** The counter-affidavit having been held inadmissible by me; I proceed to strike it out. The counter-affidavit of Michael C. Umunnakwe of Counsel is hereby struck out.

The documents relied upon by the Respondent [that is: **EXHIBIT CUE1** and **EXHIBIT CUE2**] were tendered through a deponent who neither created them nor participated in the communications reflected therein. In **Maku v. The State [2021] LPELR-56324[CA] 40-41**, the Court of Appeal, per Oho, JCA, held that:

"Generally speaking, a document is said to amount to a documentary hearsay when the person who purports to have made and/or signed the document is not the one tendering it in Court and consequently cannot vouch for the authenticity of the contents of the document as it did not come from his personal knowledge."

In **Momodu v. The State [2025] 11 NWLR (Pt 1999) 357 at 382-383**, the Supreme Court, per Tukur, JSC, posited that:

"In an attempt to establish guilt of a Defendant through evidence of a particular witness who was not called in evidence, as in this case, where such evidence has been reduced to writing by the victim, the maker of such a document must be called to testify. Any other attempt to use the written document to establish the truth of its content, in the absence of the maker, constitutes documentary hearsay...."

I hold that **EXHIBIT CUE1 and EXHIBIT CUE2** attached to the counter-affidavit of M.C. Umunnakwe, Esq. are documentary hearsay since the law does not allow M.C. Umunnakwe of Counsel to vouch for the authenticity of the contents of the documents as they did not come from his personal knowledge neither did he personally participate in the conversations which they contain. Michael C. Umunnakwe Esq. did not record the information contained in **EXHIBIT CUE1 and EXHIBIT CUE2**, he did not store it, he did not produce it with any of his gadgets and has no business certifying their accuracy or the proper functioning of the computer used in producing them as at the time they were produced and transmitted to him. The decision of the Supreme Court in **IFEGWU V. UBN PLC (2011) 16 NWLR (Pt 1274) 555**, supports this position. Hearsay evidence is testimony given by a witness who relates not what he knows personally or saw but what others have said the credibility of which depends not on the witness but on another person, see the Supreme Court cases of: **MARIAM MOHAMMED V. A.G.F FRN (2020) LPELR - 52526 (SC)** and **FRN V. USMAN (2012) LPELR 7818 (SC)**. According to the Court in **BADAMASI V. STATE (2022) LPELR-58348(CA)**, Evidence of a witness is said to be hearsay when the evidence given by the witness relates not to what the witness did, knows

or saw with his eyes, if the purpose is to prove the truth of what is asserted. Evidence of Michael Umunnakwe of Counsel in this case is hearsay because the evidence given by the witness relates not to what he did, he knows or saw with his eyes, if the purpose is to prove the truth of what is asserted. This principle was re-affirmed and applied by the, the Supreme Court, per Ngwuta, JSC [of blessed memory] **ZUBAIRU V. STATE (2015) LPELR-40835(SC)**. On the above ground alone, the counter-affidavit deposed to by Michael C. Umunnakwe who describes himself as "*counsel and part of the legal team representing the Respondent*" counts for nothing in the instant proceedings, it is of no forensic utility as it is hearsay evidence which is inadmissible and consequently, it is hereby struck out.

The above apart, there is a second and independent difficulty. The deponent expressly describes himself as "*counsel and part of the legal team representing the Respondent*". The Rule 20 of the Rules of Professional Conduct discourages a legal practitioner from acting simultaneously as advocate and witness in a contentious matter for his client. This Rule has received the interpretation and blessing of the Supreme Court [sitting as a full panel] in **AKINLADE & ANOR V. INEC & ORS (2019) LPELR-55090(SC)** wherein the erudite and noble Justice of the Supreme Court, Eko, J.S.C. most authoritatively stated thusly:

"The 2nd respondent's motion was contentious. The appellants, through one Mubarak Imam who describes himself as "a Legal practitioner in the Law Firm of Ahmed Raji & Co; Counsel to the appellants" filed a counter-affidavit wherein they supposedly

joined issues with the 2nd respondent on his objection to grounds 14 and 18. The counter-affidavit, clearly res ipso loquitur, offends paragraph 20(4) Rules of Professional Conduct for Legal Practitioners, 2007 that forbids a lawyer from being a witness for his client in a matter that is contentious. The point is so basic and fundamental that the total disregard or lack of it by either this lawyer deponent or his principal in office cannot be condoned. Any conduct that is a direct affront or infringement of the express Rules of professional conduct can only be regarded as a conduct unbecoming. The counter-affidavit being so brazingly offensive shall be and is hereby discountenanced."

Removing the name of Mubarak Imam in the above cited authority and replacing it with the name of **Michael C. Umunnakwe**", I apply the entire pronouncement of the Supreme Court of Nigeria in **AKINLADE** to the counter-affidavit of Michael C. Umunnakwe of Counsel in striking same out. By ***Section 287(1) of the amended 1999 Constitution of the Federal Republic of Nigeria*** I must bow before the authority of **AKINLADE V. INEC (supra)** in line with the doctrine of ***stare decisis*** well settled in our jurisprudence. On the part of Michael C. Umunnakwe, deposing to the said counter-affidavit it is a conduct unbecoming of a legal practitioner in Nigeria. *The counter-affidavit being so brazingly offensive shall be and is hereby discountenanced.* The principle is not merely technical. It exists to preserve the distinction between advocacy and evidence. Counsel is expected to present evidence, not to become the principal witness on disputed matters within a case. Where the facts are contentious and depend upon personal interactions between litigants, the proper witness is ordinarily the party with firsthand knowledge of

those events. I therefore find that the Respondent's counter-affidavit suffers from a fundamental evidential defect arising from the role assumed by the deponent.

On the present state of the law, what it means is that the Respondent has no defence to the case as presented by the Applicant herein. There being no counter affidavit opposing the Applicant's set of affidavits, his evidence is now completely unchallenged. The far-reaching implication of this state of affairs has consistently been stated by the Supreme Court of Nigeria. In **MABAMIJE V. OTTO (2016) LPELR-26058(SC) (Pp. 18 paras. B)** the Supreme Court Per RHODES-VIVOUR ,J.S.C explained the position of the law thusly:

"No counter-affidavit was filed by the Appellant. Where facts deposed to in an affidavit have not been controverted such facts must be taken as true except they are moonshine. See Alagbe v. Abimbola 1978 2 SC p.39. Where an affidavit is filed, deposing to certain material facts and the other party does not file a counter-affidavit to dispute the facts, the facts deposed to in the affidavit would be deemed unchallenged and undisputed."

Also in **HALIMA HASSAN TUKUR VS GARBA UMAR UBA & ORS (2012) 10 SCM 139 AT 168 E - G** per ARIWOOLA, JSC (later CJN) said:-

"It is already a settled law that an affidavit evidence constitutes evidence and must be so construed, hence, any deposition therein which is not challenged or controverted is deemed admitted. "

What emerges from the totality of the above is that on the imaginary scale of justice, there is nothing to weigh for the Respondent. The remaining evidence tilts in favour of the Applicant. This is so because evidence which has been expunged and lacks probative value cannot be put on the imaginary scale of justice. In support of this legal postulation, I call in aid the decision in **NASS & ANOR V. ADAMU & ORS (2023) LPELR-61252(CA)** where the Court of Appeal, Per Ogakwu, JCA stated thusly:

"... evidence which has been expunged and lacks probative value cannot be put on the imaginary scale of justice. That is the law, as the scale though imaginary is still the scale of justice, and the scale of truth. Such a scale automatically repels and expels any, and all false evidence. What ought to go into that imaginary scale is no other than credible evidence. The determination of what is to be put on the imaginary scale is the value, credibility, and quality as well as the probative essence of the evidence..."

At this stage, the only thing left on the side of the Respondent's case is the address of counsel, and it is the law that address of counsel is no evidence and can never replace admissible legal evidence no matter how seductively crafted or persuasively presented. In **IBIKUNLE V. STATE (2007) LPELR-8068(SC) (P. 20, paras. C-D)**, the Supreme Court per Onu, J.S.C. reminds us that:

"It ought to be stressed that counsel's address must be based on evidence on record and the legal submission of counsel ought not to be substituted for evidence on record vide Osuigwe v. Nwihi (1995) 3 NWLR (Pt. 386) 752."

In **DAHIRU V. STATE (2018) LPELR-44497(SC)**, the Supreme Court through Eko, J.S.C. reminds us that

"It is trite that a counsel cannot use the opportunity of his final address to adduce evidence from the Bar."

Earlier, in **NWALI V. EBSIEC & ORS (2014) LPELR-23682(CA) (Pp. 56 paras. B),** AGIM ,J.C.A, speaking for the Court of Appeal, teaches that:

"It is trite law that such allegations of events in the address of counsel are not valid for consideration. Address of counsel on factual issues must be based on the facts proven by evidence contained in the record before the Court. Counsel cannot while addressing the Court allege facts not contained in the evidence before the Court and address the Court on the basis of such unproven allegation of facts. Any argument on the basis of such unproven allegation of fact is clearly speculative and baseless."

Finally on this score and very instructively, Wambai, J.C.A., writing for the Court oof Appeal teaches most eloquently that:

"The law is now well settled that address of counsel no matter how brilliant, how eloquent, how erudite or articulate, cannot and should not take the place of pleadings or evidence. The address of counsel which is only intended to assist the Court cannot be in a vacuum or suspended in the air, but must be placed on Pleadings and evidence to shore it up. It cannot be a substitute for pleadings or evidence. See BFI GROUP CORP. vs. BUREAU OF PUBLC ENTERPRISES (2012) 18 NWLR (Pt. 1332)

209 at 244 B - C, where Fabiyi, JSC confronted with a similar situation had this to say, inter alia. "It (address of counsel) is not evidence and no fine speech in an address can make up for lack of evidence to prove or establish a fact or disprove and demolish a point in issue." In other words, address of counsel not based on pleadings and evidence is inconsequential and goes to no issue. It has no probative value and not worth a dine in the scale of evidence for consideration by the Court."

Applying the principle of law as stated in the galaxy of authorities above, it follows therefore that the written address of Counsel for the Respondent (not resting on any evidence) "***is inconsequential and goes to no issue***". Since the Respondent's counter-affidavit deposed to by her Counsel has been struck out, I therefore hold that the written address of Counsel for the Respondent (having no evidence to rest on) ***has no probative value and not worth a dime in the scale of evidence for consideration by this Court***. This is so because as stated by the Supreme Court in **JAMES CHIOKWE V. THE STATE (2012) LPELR - 19716 (SC)**: -

"It needs to be reiterated that submissions of counsel however beautiful or enticing cannot take the place of evidence. This is because address of counsel to be accepted and utilized must be a reminder to Court on evidence proffered. On its own address of counsel cannot stand."

I have earlier held that the counter-affidavit deposed to by the Respondent's Counsel constitutes hearsay, declared same inadmissible and struck same out. However, for the sake of completeness and if the

Court of Appeal takes a contrary view, I shall proceed to examine the merits of the expunged counter-affidavit side by side with the Applicant's affidavits to resolve the controversies in dispute.

I will now examine the evidence of the Applicant regarding the allegation of threat to his life by the Respondent. The Applicant presented **EXHIBIT D** which is a WhatsApp conversation he had with the Respondent particularly on the ***18th day of October, 2025***. The UK WhatsApp number [+447448042937] belonging to the Respondent clearly appears on the chat. The Respondent did not deny that the said conversation between her and the Applicant took place on the said **18th day of October, 2025**. **EXHIBIT D** is what the Applicant relies on to urge this Court to found for him regarding his accusation of the Respondent threatening his life, a fundamental right very eloquently protected by section 33 of our constitution. I have been called upon by the Applicant to accord a fastidious reading to **EXHIBIT D**. I will now undertake an intimate reading of **EXHIBIT D**. Let me begin from the beginning by first reproducing the verbatim chat transcript. In the chat, the Applicant starts by recapping a heated moment between him and the Respondent when they were staying together. In the said moment, the following conversation took place between the Applicant and the Respondent:

Respondent: *(multiple times). You are a madman (repeatedly). Have you thought of the fact you could be sleeping and get stabbed to death (repeated many times). I know you have a very beautiful future, and I am sure you don't want to ruin it. But I don't want to go to jail, because I am the only person my family has*

Applicant: *Do you realise what you are saying? That you could stab me to death while asleep? Threatening that you could take my life?*

Respondent: *I don't care! (With a very loud voice)*

Applicant: *Do you hear yourself? Do you realize what you are saying, that I should go and fuck myself?*

Respondent: *I don't care!*

Applicant: *You are calling me a madman?*

Respondent: *Yes (over and over in a loud voice).*

The **Applicant** continues: *These are words you said in anger. If you could find justification for (or you don't care about) threatening my very own life, threatening my future and telling me to go fuck myself and calling me a mad man, they are deep, very very deep, honestly... I have never spoken condescendingly to you so much as to call you (multiple times) "a mad woman", and telling you to "go fuck yourself"... never went down this ugliest path of threatening the life of the person I said I am in love with (or making you feel or consider I could murder you in cold blood in your sleep). I have never ABUSED you, calling you a "madwoman" and telling you to go "fuck yourself". All these in less than 1 month of staying together. Even if we get angry and become so infuriated, are there no redlines we must never cross? Is human life and our individual careers (meaning our source of livelihood & sustenance) not off limits? Are they not supposed to?*

The **Respondent** responded in this way**:** *"What do you want? You have forgiven me and I have forgiven you. Do we continue to analyse it and dwell on it and how deeply it goes. How will that help us. I can't tell you how to heal, I have personally forgiven you and gone ahead to replace some of the bad with the good. If it's troubling you, your feelings are valid*

but it's coming across to me as unforgiving or forgiving but continuing to taunt me with it forever and that's concerning from my end. We will never live our lives without mistakes including grave ones..."

The **Applicant** responded in these words: *"You asked me what you said. Here is exactly what you said to me in the heat of anger: "have you thought of being stabbed to death in your sleep?" followed by "I don't care" when asked whether you realised you were threatening my life. That comment really scared me. I'm not okay with threats, even in anger. Making a threatening comment and showing indifference ("I don't care"), suggests a willingness to cross boundaries of safety."*

In admission, the **Respondent** stated**:** *"I'm sorry I said that in anger, there's no justification and it will never happen again"*

There is more contained in **EXHIBIT D**. However, I think I can stop here maybe for now. What is the defence of the Respondent to **EXHIBIT D**? It is significant that the Respondent never disowned the WhatsApp number that sent the message contained in **EXHIBIT D**. She did not deny authorship of the message neither did she challenge the content of **EXHIBIT D** as either being spurious or concocted. Her defence to the allegation of threat to the Applicant's life is found at ***paragraph 5x*** of the counter-affidavit of Michael C. Umunnakwe, her Counsel. This is what he deposed to in countering **EXHIBIT D**:

"The Respondent deny threatening to stab, kill, or physically harm the Applicant at any time whatsoever."

Apart from the above general denial, there is no other paragraph in the 9 paragraphed counter-affidavit of the Respondent responding directly to the content of **EXHIBIT D** and seeking to diffuse its content or present

a narrative or interpretation different from that which the Applicant has urged on this Court to find and uphold. I have very deeply read **EXHIBIT D** and from my intimate reading and analysis of the portion of **EXHIBIT D** quoted above, I find as follows:

A clinical, dispassionate evaluation of the verbatim text exchange between the Applicant and the Respondent reveals a deeply unsettling narrative. The Court is called upon to interpret these preserved words not as mere digital text, but as a real-time record of human conduct, psychological terror, and a severe breach of constitutional safety. In performing this task, the Court places a literal, purposive interpretation on the speech and actions of both parties to determine if the Applicant's right to life under Section 33 of the 1999 Constitution (as amended) has been fundamentally compromised. The genesis of the grievance lies in a verbal confrontation that is staggering in its graphic severity. The Respondent is documented as having repeatedly demanded of the Applicant: *"**Have you thought of the fact you could be sleeping and get stabbed to death?**"* This is not a vague, ambiguous expression of anger, nor can it be dismissed as the standard, non-lethal exaggeration often spat out in moments of domestic friction. It is a highly specific, alarmingly structured roadmap of violence. The Respondent meticulously couples a lethal mechanism—**stabbing**—with a condition of absolute human vulnerability: **sleep**. By targeting the Applicant at a time when his consciousness is suspended and his defences are entirely neutralized, the Respondent manifested an intent to execute maximum harm with zero opportunity for the victim's self-preservation. What elevates this statement from a reckless outburst to a credible, terrifying threat to life is the immediate, contemporaneous dialogue that followed. When the

Applicant, attempted to test reality and offer a path for de-escalation by asking, *"Threatening that you could take my life?"*, the Respondent did not recant. The Respondent did not claim to have spoken in error. Instead, the Respondent doubled down, shouting, ***"I don't care!"*** over and over. This repetition is of immense forensic value to this Court. It proves a conscious, deliberate ratification of the threat in real-time. It demonstrates a total indifference to the Applicant's fear and an outright abandonment of the sanctity of human life.

Furthermore, the Respondent's own words expose the fragile barrier preventing this threat from becoming a physical reality. The Respondent stated: *"**But I don't want to go to jail, because I am the only person my family has**."* This Court must ask: what is keeping the Applicant alive? By the Respondent's own clear admission, it is not moral restraint, it is not affection, and it is not respect for the law or human life. The sole retaining wall against a fatal assault is the Respondent's calculated fear of state punishment and personal legal inconvenience. The Applicant's life was effectively placed at the mercy of the Respondent's ongoing, fluid risk assessment regarding jail time. This constitutes a severe, continuous, and existential threat to the Applicant's right to life. No citizen of this country should have their survival dependent on an aggressor's calculated fear of incarceration. When the conversation shifted to the digital sphere on the **18th day of October, 2025**, the Court observed a manipulative behavioral cycle that justifies the highest level of judicial intervention. When confronted with the reality of her actions, the Respondent initially attempted an extra-judicial dismissal of liability by stating, *"**You have forgiven me and I have forgiven you.**"* This is a blatant attempt at false equivalence and minimization. The

Respondent seeks to treat whatever minor grievances she holds against the Applicant as equal in weight to a literal death threat. When the Applicant refused to allow the gravity of the threat to be minimized, the Respondent pivoted to victim-blaming, characterizing the Applicant's profound terror and need for safety as ***"taunting me"*** and being ***"unforgiving."*** She went as far as to normalize an explicit threat of murder as one of life's inevitable, "*grave mistakes*." This reveals a dangerous psychological volatility. The Respondent shifts seamlessly from blood-chilling threats to indifferent defiance, then to passive-aggressive gaslighting, and finally—when legally cornered by the Applicant's unwavering stance—to a brief, compliant apology: ***"I'm sorry I said that in anger, there's no justification and it will never happen again."***

While the Respondent may argue (and indeed she has not argued it here) that this final apology cures the infraction, this Court views it with deep suspicion and serious concern. An apology given only when an aggressive strategy fails is a tactical compliance tool, not a guarantee of safety. The Respondent's written admission that there is "**no justification**" for her words is a formal admission against interest under our laws of evidence. Interpreting **section 20 of the Evidence Act**, the Supreme Court stressed in **Ajide v. Kelani (1985) 3 NWLR (Pt.12) 248, 260** that "***Where there are admissions by a party against his interest such admissions will be admissible against the person.***" Speaking of admission against interest, the Supreme Court explains in **ABUBAKAR & ORS V YAR'ADUA & ORS (2008) LPELR-51(SC)** that:

"such admission is the best form of evidence which an adversary will use against the opposing party and which the Court is also enjoined to believe. See Onyenge v. Ebere (2004) 6-7 S.C. 52; (2004) 12 NWLR (Pt. 889) 20."

This loud admission against interest strips away any potential defence of provocation or temporary emotional insanity. However, her rapid shifts in tone prove that her self-restraint is *volatile and unpredictable*. The Applicant cannot be expected to sleep in a home or exist in a world where his life depends on the shifting emotional tides of an individual who has already visualized and articulated his murder. Consequently, this Court finds that the transcript provides clear, uncontroverted ***evidence of a severe, and credible threat to life***. The Applicant's fear is well-founded, reasonable, and legally justified. The constitutional protection of life under Section 33 is proactive; it is designed to prevent a tragedy, not just punish it after the fact. To deny the Applicant the reliefs sought would be to wait for the threat to be carried out. This Court will not fold its arms and watch a citizen's life be put at risk. The transcript fully supports the declaration that the Applicant's fundamental right to life has been violated, and it establishes the absolute necessity of a perpetual injunction to insulate him permanently from the Respondent's dangerous volatility In ***Uzoukwu v Ezeonu*** **II (1991) 6 NWLR (Pt. 200) 708** the question "*when may a fundamental right enforcement action be commenced*" was beautifully answered, per Tobi, J.C.A. (as then was). According to his Lordship, **section 42(1) of the 1979 constitution (now 1999 constitution section 46)** has three limbs:

"...In the Third limb, there is likelihood that the respondent will contravene the fundamental right or rights of the plaintiff. While the First and Second limbs ripen together in certain situations, the Third limb of the subsection is entirely different. The Third gives the plaintiff the power to move to the court to seek redress immediately he senses some move on the part of the defendant to contravene his fundamental rights..."

The conduct of the Respondent in the circumstances apparent on the face of **EXHIBIT D** is rather egregious and boggles the mind. Reference to the Applicant's future implies leverage. The statement:

"You have a very beautiful future and I am sure you don't want to ruin it."

when read beside threats of stabbing and jail, carries undertones of menace and control. It implies: (a) *awareness of the Applicant's ambitions*; (b) *capacity or desire to damage them*; and (c) *use of fear as leverage*. This Court specifically finds that: (a) *The Respondent's words (as contained in EXHIBIT D) constituted an express communication of lethal violence, namely death by stabbing*; (b) *The threat was made more serious by describing the Applicant as asleep, i.e., defenceless and vulnerable*; (c) *The repeated nature of the statement converted it from spontaneous insult into sustained intimidation*; (d) *The Respondent's reply, "I don't care," after being told she was threatening life, objectively affirmed the menace rather than withdrew it*; (e) *The Applicant's stated fear ("That comment really scared me") was entirely reasonable*; (f) *The later apology is accepted as an admission of misconduct, but does not extinguish the legal character of the earlier threat.*

In **EBULUE & ORS v. EZEBUO (2018) LPELR-44685(CA)** the Court wrote extensively on the remedies available to anyone whose life is threatened in this lucid language: ***"I will be stating the obvious by saying that it is illegal to threaten to kill someone. A threat to kill someone would definitely put some fear of harm or bodily injury into that person. Anyone whose life is threatened or receives a threat to kill has both criminal and civil remedies. The criminal remedy is activated by making a report to the police or any other relevant law enforcement agency. A civil remedy can be pursued by fundamental right enforcement proceedings..."***

There is no doubt, and I conclude, that in their aggregate, the conducts of the Respondent as x-rayed above [extracted from **EXHIBIT D**] engaged (and violated) strongly and simultaneously the fundamental rights of the Applicant enshrined in **section 4 of African Charter on Human and Peoples Rights (Ratification and Enforcement) Act and section 33 of the amended 1999 constitution**.

I now move to Applicant's claim of privacy breaches. The Applicant's second major complaint concerns the Respondent's alleged practice of secretly recording his conversations, interactions and communications during the subsistence of their relationship and thereafter. The Applicant contends that the recordings were made without his knowledge or consent and that the Respondent subsequently retained, stored and deployed those materials for purposes adverse to his interests. He argues that such conduct violated his constitutional right to privacy guaranteed under section 37 of the Constitution. The Respondent's position, as

contained in the processes already considered, is that any recordings in her possession arose from interactions in which she was a participant and were preserved for her own protection and evidential purposes. The issue before the Court is therefore whether the alleged recording, retention and threatened use of private communications without consent constitutes an infringement of section 37 of the Constitution which provides as follows:

"The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected."

The provision is broadly framed and deliberately so. Its purpose is to preserve a sphere of personal autonomy within which citizens may communicate, associate and conduct private affairs free from unjustified intrusion. The guarantee extends beyond physical premises. While the home remains the traditional centre of privacy protection, the constitutional text expressly includes correspondence and telephone communications. This demonstrates that privacy under section 37 is not confined to territory; it extends to communications. The constitutional inquiry therefore concerns the protection of confidential human interaction as much as it concerns the protection of physical space.

The Constitution must be interpreted in a manner that remains capable of addressing contemporary realities. When section 37 was enacted, digital recording technology, cloud storage, instant messaging applications and permanent electronic archiving were not as pervasive as they are today. Modern technology enables private conversations to be: secretly recorded, indefinitely preserved, reproduced repeatedly, transmitted globally within seconds and deployed years after the original

interaction. The capacity of technology to capture intimate communications permanently has altered the nature of privacy risks faced by citizens. A conversation once spoken may now survive indefinitely in digital form. Accordingly, constitutional protection of privacy cannot be restricted to physical trespass or unauthorised entry into a home. It must also address technological intrusions capable of undermining personal autonomy and communicational freedom. Section 37 therefore requires interpretation that remains faithful to its text while responding to contemporary methods of privacy invasion. Privacy serves multiple constitutional purposes. It protects dignity. It protects personal development. It protects freedom of association. It protects the ability of individuals to communicate candidly without fear that every interaction will later become a permanent evidential archive. At its core lies the principle that individuals ordinarily retain a legitimate interest in controlling the collection, retention and dissemination of personal information relating to them. This interest may be described as informational autonomy. Informational autonomy does not confer absolute secrecy. Citizens remain accountable under the law and communications may properly be disclosed where authorised by legislation, judicial process or overriding public interest. However, absent such justification, private communications attract constitutional protection. The Court therefore accepts that privacy encompasses not merely the content of communications but also a degree of control over their unauthorised capture and subsequent use. In support of this view, I call in aid the decision of the Court in **OJOMA V. STATE (2014) LPELR-22942(CA)** the Court of Appeal, per Agim J.C.A. (as he then was and now J.S.C.) teaches us that:

"Privacy at its most fundamental level is the right to be left alone. This suggests that a zone surrounds every individual within which he or she should be protected from intrusion by others. It is the most valuable of all rights. The 1999 Constitution in S. 37 absolutely guarantees the privacy of the citizen, his home, correspondence, telephone conversations and telegraphic communications ..."

The key word in My Lord Justice Agim's legal formulation is "**absolute guarantee**" and I agree with His Lordship. The Applicant's affidavit evidence [contained in ***paragraphs 57, 58, 59 and 114 of the Applicant's affidavit of 26th March, 2026***] is that the Respondent secretly recorded conversations and interactions without obtaining his consent. The evidence further indicates that the recordings were retained after the relationship deteriorated and were subsequently disseminated to third parties without his consent. The Respondent never denied secretly recording the Applicant but merely projects what she believes to be her defence for so doing. The Court must therefore evaluate the Applicant's evidence on its own merits and determine whether the conduct described falls within the scope of section 37.

Consent is central to this issue. Where individuals knowingly agree that communications may be recorded, privacy concerns may be significantly diminished. The present case is different. The Applicant's case is expressly founded upon the absence of consent. There is no admissible evidence before the Court establishing that the Applicant authorised systematic recording of his communications or agreed that such materials could be

preserved and later deployed against him. The Court is therefore obliged to proceed on the basis that the recordings were made without consent. The seemingly difficult question is whether a participant in a conversation may secretly record that conversation without constitutional consequence. The answer cannot be reduced to a universal rule applicable to every circumstance. There may be situations expressly authorised by law where recording serves legitimate and lawful purposes. This case, however, must be determined on its own facts. The evidence before the Court reveals a private intimate relationship characterised by trust, emotional vulnerability and repeated confidential communications. Relationships of that nature depend significantly upon mutual confidence. Citizens engaged in private relationships are ordinarily entitled to assume that intimate communications are being exchanged for the purpose of communication itself and not for the creation of a permanent evidential repository to be deployed in future disputes. Where one party systematically records private interactions without the knowledge of the other and subsequently retains those materials for strategic use, serious constitutional concerns arise. Such conduct undermines the very communicational privacy section 37 seeks to protect.

The Applicant seeks relief extending beyond the act of recording itself. He also challenges the continued retention and threatened use of the recordings. The Court agrees that privacy concerns do not end at the point of capture. A recording preserved indefinitely creates continuing risks. The possibility that intimate communications may later be disseminated, published, selectively edited or deployed for coercive purposes constitutes an ongoing interference with privacy interests. In my view, the evidence before the Court discloses a sufficient basis for

apprehending such future use. In the case of **INCORPORATED TRUSTEES OF DIGITAL RIGHTS LAWYERS INITIATIVE & ORS v. NATIONAL IDENTITY MANAGEMENT COMMISSION (2021) LPELR-55623(CA)**, the Court expansively interpreted this constitutionally guaranteed fundamental right thusly:

From these decisions, privacy to my mind can be said to mean the right to be free from public attention or the right not to have others intrude into one's private space uninvited or without one's approval. It means to be able to stay away or apart from others without observation or intrusion. It also includes the protection of personal information from others. This right to privacy is not limited to his home but extends to anything that is private and personal to him including communication and personal data."

I too agree.

The protection afforded by the Constitution is neither ornamental nor confined to the four walls of a physical home. In **Ojoma v State (supra)**, Agim JCA adroitly described privacy as "**the right to be left alone**," emphasizing that a protected zone surrounds every individual within which he ought to remain free from unwanted intrusion and that **section 37** "***absolutely guarantees***". The Court further reaffirmed in **Incorporated Trustees of Digital Rights Lawyers Initiative & Ors v National Identity Management Commission (supra)** that the constitutional right ***to privacy extends not only to physical spaces but also to personal communications and personal data***. Thus, the Constitution recognizes that privacy encompasses informational autonomy—namely, the right of an individual to exercise control over

deeply personal communications, emotional disclosures, and confidential exchanges made within intimate settings. This court must protect the constitutional right to privacy generously bestowed by section 37 of the constitution otherwise, intimate human relationships would become constitutionally unprotected zones of perpetual electronic surveillance in which every vulnerable conversation, emotional disclosure, disagreement, reconciliation, or moment of weakness may secretly be transformed into permanently retrievable digital material for future strategic use. Such a position would dangerously erode the constitutional expectation of trust, emotional security, and communicational confidence which section 37 seeks to preserve. The Constitution protects not only physical security but also the dignity and psychological autonomy of citizens under section 34. A relationship cannot meaningfully retain its private character where one party, unknown to the other, systematically converts confidential exchanges into archived digital evidence capable of future deployment. The injury in such circumstances lies not merely in hearing the communication — for the Respondent was indeed a participant — but in the covert technological capture, indefinite retention, and informational control exercised over communications reasonably believed by the Applicant to belong within the protected sphere of private relational confidence.

The Court therefore rejects the narrow proposition of the Respondent that constitutional privacy is implicated only where there is hacking, wiretapping, or third-party interception. The evolution of constitutional privacy jurisprudence in Nigeria, particularly as illuminated in ***Ojoma* and *Digital Rights Lawyers Initiative (supra)***, demonstrates that section 37 of the constitution protects citizens against unjustified intrusion into

private communicational life, including unauthorized technological preservation of intimate communications in circumstances inconsistent with the constitutional values of dignity, trust, autonomy, and personal security.

I find and hold that the Respondent has been violating the Applicant's right to privacy enshrined under section 37 of the amended 1999 constitution of the Federal Republic of Nigeria as alleged by recording his affairs, their phone conversations (both audio and video) and their affairs when they are physically together including their conversations without the Applicant's consent and has been disseminating same to third parties still without the Applicant's consent. The Respondent did not debunked these allegations. The continued retention and threatened deployment of such materials create an ongoing interference with the Applicant's privacy interests protected by **section 37 of the constitution**. The Applicant is therefore entitled to declaratory and injunctive relief designed to protect his constitutional right to privacy. I find the claim of the Applicant proved in this wise. Accordingly, injunctive protection is appropriate.

I now consider allegations bordering on threats and coercive communications that violate the Applicant's right to dignity of his human person. **P*aragraphs 73 to 118 of the Applicant's affidavit of 26th March, 2026 and paragraphs 4 – 19 of the Applicant's Further Affidavit deposed to on 13th April, 2026*** in their aggregate brings this issue to the fore. This (**EXHIBIT F**) shows a WhatsApp text originating from the Respondent' active WhatsApp line: **+447448042937** to the Applicant. First, the Respondent at 09:36 on a Thursday called the Applicant, but he did not answer the call then followed by a message at 09:39 from the Respondent to the Applicant as follows: ***"Call me when***

you see this, its urgent". Apparently, the Applicant did not reply to the Respondent's message on the said Thursday. The following day (Friday) the Respondent wrote by 03:27 the following to the Appellant:

"I know you saw my calls and my message. I dont want to do this as much as you. I was going to let them take it to court but I took the hard road to contact you and get them proof that I didn't do anything wrong."

By **03: 30** of the same day the Respondent wrote again: "***I tried to sort this out yesterday cos their letter said they'll go to court today. Call me let's sort this out before I open cans of worms we do not want to deal with".***

The Respondent then called and the Applicant, but he did not pick. Then she wrote again: "***Dont say I did not try to keep my promise.***"

The Applicant still did not reply to any of the messages of the Respondent hence she wrote the message now contained in **EHIBIT G and EXHIBIT BLACKMAIL 2** which now read:

I know you have seen my messages and ignored them, this is my last message to you, you contacted me through a said couple and fed on my vulnerability to agree that you will provide me with an undertaking using your law firm's letter heading and that you will state what you did and that nothing will happen to me or my family following your death threats , you went ahead to say you just need to get to Nigeria to get this done and I just need to withdraw the case here, I did withdraw the case and you have since gone to Nigeria and didn't send the letter, instead you went

ahead to pretend to be a mr Peter and used the influence you know my father has on me to coerce me into agreeing to speak with you, and you started denying that you never did anything to me or threatened me. I have sent a message to the couple that helped you to contact me and let them know I'll be reopening this case. As you have refused to send the letter so my family and myself are still in danger as you said and you're currently denying ever doing anything to me. I don't know what you have planned to do to me or my mom, since you specifically said you just needed to contact the priest in the church she worships. I have tried to stay on my side and all you needed to do was send in the letter and I'm sure my family is safe, you have till this time tomorrow to send in that letter, if i don't receive it, I'll go ahead and contact the police about reopening the case, yes everyone knows and have copies of all our chats and conversations, if anything happens to me.

It is significant that the Respondent did not deny the authorship of the above messages. In other words, they are the Respondent's own words. The Applicant has remained consistent in his firm denial that he ever made, promised, or intended to issue an undertaking especially of the kind described by the Respondent in **EXHIBIT BLACKMAIL 2** to the Respondent. Indeed, the Respondent has not presented any evidence to show otherwise. The Court's interpretation of **EXHIBIT F**, **EXHIBIT BLACKMAIL1** and **EXHIBIT BLACKMAIL 2** is that the Respondent's messages are no not viewed or to be seen as a "failed agreement," but as a unilateral campaign of harassment and fabrication. I have had a deep reading of **EXHIBIT CUE2**. This Court finds that there is no evidence

therein demonstrating any promise from the Applicant to the Respondent especially of the kind **EXHIBIT BLACKMAIL2** paints. The Applicant is not shown to have participated in the said conversation between the Respondent and one "***Mziz Kels Madam Kelechi JJ***'. I find that there is no evidence demonstrating that the Applicant made a promise to the Respondent of using his Law Office Letterheaded paper to write a letter/undertaking to the Respondent admitting to committing anything against the Respondent and giving any undertaking such as the kind described by the Respondent in **EXHIBIT BLACKMAIL2** or any other undertaking at all. Against the foregoing analysis, the Court finds that since that the Respondent's description of a purported "deal" as portrayed in **EXHIBIT BLACKMAIL2** is her fabrication to provide a false justification for her threats. It is the view of the Court that this is an attempt to "trap" the Applicant. By demanding a letter on the Applicant's letterheaded paper that he never agreed to write (accompanied with menace of contacting the Police to "re-open" the petition she earlier filed against the Applicant) and which in law she is not entitled to, she is attempting to manufacture a liability where none exists. The Applicant's silence, followed by his denial under oath, suggests that the "urgent" nature of the Respondent's demands was entirely one-sided. The cudgel of "***cans of worms***" being wielded by the Respondent against the Applicant are interpreted by the Court as **malicious allegations,** she intended to invent to destroy the Applicant's career because he refused to engage with her. The Respondent claims in the **EXHIBIT BLACKMAIL2** that she is in "danger," yet the Applicant denies ever making threats. This Court finds it highly inconsistent (and it is incongruous) that a person claiming to be under "death threats" would

negotiate for a *letter* rather than seek immediate police protection. Her willingness to remain silent in exchange for a law firm's letterhead simply means that the "threats" never existed and were a pretext for possible endless blackmail.

Upon reviewing the evidence, I find that the Respondent's persistent calling and messaging, maintained despite the Applicant's total lack of engagement, constitutes stalking and psychological intimidation. Her behaviour demonstrates a clear intent to harass the Applicant into a state of submission. In the absence of any prior established agreement between the parties in hostility, I am entitled to interpret **EXHIBIT BLACKMAIL1, EXHIBIT F, and BLACKMAIL2** as acts of blackmail. It was out of abundance of caution that I examined EXHIBIT CUE2. Other than that, it has been expunged by this Court as same is a documentary hearsay and did not satisfy the mandatory requirement of **section 84 of the Evidence Act** laying down the condition precedent for its admissibility which **EXHIBIT CUE2** did not satisfy. The extortionate conduct of the Respondent is established by three distinct elements: ***first, the demand, consisting of a letter containing a confession and undertaking; second, the menace, comprised of threats to report the Applicant to the police and expose damaging secrets; and third, the intent***. I view these messages as a malicious attempt to subvert the course of justice by forcing the Applicant to sign a false document. Consequently, I find that the Respondent has failed to prove the existence of any undertaking. Instead, the Applicant's testimony, combined with the aggressive and timed nature of the messages originating from the Respondent, leads me to conclude that the Respondent is the absolute aggressor; she weaponised the threat of

police action in an attempt to force a Nigerian Lawyer and PhD law researcher to produce a document serving her private interests. Threats, ultimatums, emotional pressure, demanding with menace, coercive messaging, and use of fear as leverage amount to conduct offensive to dignity. In their aggregate, they degrade and represent a humiliation of the Applicant. The Respondent's conduct complained of is oppressive, demeaning, humiliating, and degrading of the Applicant. I, accordingly, find as facts that, the Respondent continued to direct a series of messages and communications to the Applicant containing threats, pressure tactics, and demands calculated to compel compliance. I specifically find that the Respondent communicated to the Applicant in terms which:

a) demanded that he provide written undertakings, admissions, or other assurances within deadlines fixed by her;
b) threatened that, in default of compliance, she would reopen or reactivate police complaints and related proceedings against him;
c) warned that she would "open cans of worms" if he failed to engage with her or resolve matters on terms acceptable to her;
d) invoked fear for the Applicant's reputation, liberty, peace of mind, and future as means of pressure; and
e) maintained a pattern of communication designed not merely to convey grievance, but to overbear the will of the Applicant through apprehension of adverse consequences.

On the totality of the evidence, I find that these were not neutral or bona fide communications seeking ordinary redress. They were coercive communications employing threats of legal trouble, exposure, and renewed complaints as leverage. The Respondent thereby used electronic

communications as instruments of intimidation and pressure in pursuit of private advantage. Such conduct is oppressive and wholly unacceptable. No person is entitled to deploy threats of police action, reputational harm, or further distress in order to compel concessions from another. The Respondent has not challenged the evidence that her petition (of non-fatal strangulation) against the Applicant before the UK Police was closed with a **No Further Action (NFA)** entered by the UK Police. Importantly, she has carefully kept away from the knowledge and view of this court the evidence of her withdrawing of her petition against the Applicant, ***reasons she adduced in her correspondence with the Police for such withdrawa***l and *whether, the response of the UK police to her demand and reasons for her withdrawal* ***align with, support or rather are in conflict*** *with the reasons advanced by her before this Court for withdrawing the said petition which according to her was a promise of some considerations from the Applicant to her* which the Applicant has fervently denied before this Court. I find that when the Respondent's earlier demands failed to secure compliance, she escalated her threats and pressure against the Applicant. I find that the purported undertaking was demanded under pressure and for the Respondent's private advantage. I therefore find that the Respondent attempted to procure from the Applicant a false or involuntary admission by coercive means. The law does not countenance the extraction of statements or admissions through threats. Any document so obtained is tainted in origin and contrary to public policy. Viewed as a whole, the Respondent's conduct progressed from monetary and threatening demands to a calculated effort to force a written self-incriminating statement from the Applicant. I find that the Respondent's conduct in **EXHIBIT F AND EXHIBIT**

BLACKMAIL 2 directly violates the Applicant's Right to Dignity and Privacy, showcasing a calculated intent to inflict maximum social and professional damage. I declare the Respondent's messages to be nothing but blackmail, violating the Applicant's fundamental rights under **section 5, and 16 (1) of the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act** together with section 34 of the constitution.

The Court now considers the allegation that the Respondent on "*several occasions" forced herself on the Applicant* for "*sexual intercourse*. At **paragraph 29 of the Applicant's affidavit** in support of this application, the Applicant alleges thus:

That on several occasions while staying with me in the Federal Capital Territory, Abuja, ***at No. 15 Wood Street, Bolton, post code: BL1 1EB,*** *England, the Respondent forced herself on me for sexual intercourse without my consent despite my objections on grounds of my catholic faith.*

I must remind myself of the compelling significance of an affidavit as postulated by the Supreme Court, Per KEKERE-EKUN,J.S.C (now CJN) in **AONDOAKAA V. OBOT & ANOR (2021) LPELR-56605(SC)** when it held as follows:

"An affidavit consists of averments deposed to under a solemn oath. In the absence of any challenge to averments therein, the Court is bound to accept them as true."

What is the Respondent's reaction to this allegation? I find it at ***paragraph 5 ix*** of the Respondent Counsel's counter-affidavit. Here is how counsel countered the allegation:

"In response to paragraph 28-98 the Respondent states that she has never engaged in any conduct which violates the dignity, privacy and personal liberty of the Applicant and in fact states that the reverse is the case as it is the Applicant who has violated the rights of the Respondent by assaulting her in the UK on the 27th December, 2025."

Respondent's Counsel cannot claim to have been present in the specific location at the time the said forced sexual intercourse took place. He witnessed nothing regarding this. I have combed the entire counter-affidavit of Counsel, and I did not come across any other paragraph that directly challenged the Applicant's explicit allegation by frontally debunking the details contained *in paragraph 29 of the Applicant's affidavit*. How can this be a traverse to specific allegation containing specifics such as places, specific allegation of non-consensual sex, alleged lack of consent, alleged objections to the act and the ground for the said objection? How can a Learned Counsel [in this case M.C. Umunnakwe, Esq.] who was not present at the **Applicant's apartment in Abuja or at No. 15 Wood Street, Bolton (BL1 1EB) England** when the Respondent was said to have forced herself on the Applicant for sexual intercourse without the Applicant's consent and despite his objections on the ground of his catholic faith be the appropriate witness to depose to a counter-affidavit debunking this weighty allegation? On this score, Counsel's counter-affidavit pales into insignificance when weighed against the Applicant's evidence on oath.This counter-affidavit did not respond to

the allegation contained in paragraph 29 frontally. The Supreme Court in **OWURU & ANOR V. ADIGWU & ANOR (2017) LPELR-42763(SC)** (Pp. 28-29 paras. D) where KEKERE-EKUN,J.S.C (now CJN) succinctly made the point I am struggling to make in this flowing language:

"Thus, every material averment in any affidavit filed in respect of an originating summons must be specifically denied by the adverse party otherwise the averments will stand unchallenged and will be deemed admitted."

Applicant's paragraph 29 is a ***material averment*** graphically presented. The Respondent ought to specifically deny the averment ***otherwise the averments will stand unchallenged and will be deemed admitted*** which is the case with the *paragraph 29* now. To drive this point further home, His Lordship, ONYEMENAM, J.C.A in **OLA V. UNILORIN & ORS (2014) LPELR-22781(CA)** clearly stated that:

"A counter-affidavit is an affidavit made to contradict and oppose facts in another affidavit. A valid counter-affidavit must contain a valid denial of each fact sought to be denied and the Respondent's version of what happened. A valid denial is a denial pointedly directed to the facts intended to be denied. A simple narration of a Respondents' different and distinct sets of facts deposed to in an affidavit does not qualify as a counter affidavit which has denied the facts deposed to in an affidavit. See: Citizens International Bank Ltd. V. SCOA Nigeria Ltd. & Anor, (2006) LPELR - 5509 (CA)."

With the above in view, I firmly find and hold that the Applicant's constitutionally guaranteed fundamental rights under ***section 34 and 37 of the amended 1999 Constitution (dignity of his human person, privacy and bodily autonomy)*** were violated by *the Respondent in that on several occasions she forced herself on the Applicant for sexual intercourse without his consent despite his objections on grounds of his catholic faith while staying with the Applicant in the Federal Capital Territory, Abuja*. I have excluded, for good cause, the part that took place in **Bolton, England, United Kingdom** because it is outside the territorial jurisdiction of this Court. I decline to deliberate and pronounce on issues pertaining to refund of **Four Thousand Five Hundred Pounds**. This is because, all the issues around it took place in England, United Kingdom, on the **29th December, 2025** as borne out by **EXHIBIT RECEIPT1**. The parties were in England at the material time. In the same vein, the Banks through which the transactions were alleged to have been facilitated are English Banks. In like manner, I decline to discuss the mutual accusations of assault as the parties in hostility have alleged against each other regarding an incident that took place on the **27th day of December, 2025**. At the relevant time, both parties were resident in the United Kingdom. Additionally, the UK Police had examined the issues and concluded with a **No Further Action** on same. I hereby strike out all the paragraphs of the Applicant's affidavit touching on all such issues and [I have already struck out the Respondent's counter-affidavit]. Issues relating the ideological differences leading to the breakdown of the parties' relationship are hereby struck out.

I now move to address the Applicant's accusation that the Respondent is abusing Police institution and institution of justice administration by

threatening to deploy same against him for improper purposes. Series of depositions in the Applicant's diverse affidavits before this Court allege that the Respondent is tactically deploying state machineries for ends other than the ends of justice. These depositions being unchallenged and credible, I accept them as true and by settled authorities, they are deemed admitted by the Respondent. I find that the Respondent's use of law enforcement and legal threats constitutes a gross abuse of process. The evidence reveals that police complaints and threats of prosecution were deployed concurrently with personal demands. The police force exists to investigate crime, not to act as debt collectors or enforcers of private financial and emotional demands. Similarly, judicial proceedings are designed to determine legal rights, not to serve as bargaining chips in personal conflicts. Using criminal complaints as leverage to compel concessions undermines public confidence in justice and constitutes an oppressive abuse of process. Where a litigant deploys state machinery for a collateral purpose—namely to pressure, embarrass, or extract a private advantage—such conduct is predatory and demands judicial censure. In this case, the Respondent's actions crossed the line from pursuing lawful remedies into the realm of intimidation. This Court will not allow the justice system to be weaponised as a tool for coercion.The Court cannot close its eyes to the Applicant's evidence [see ***paragraphs 114 to 121 of his supporting affidavit***] that the Respondent occupies a position of professional responsibility within a regulated healthcare environment. The conduct established in these proceedings, particularly threats of violence, coercive communications and deliberate invasion of privacy, underscores the seriousness of the constitutional violations found by the Court.

While this Court's immediate duty is limited to determining the civil and constitutional issues rather than conducting a criminal trial, it cannot ignore evidence disclosing potential criminal wrongdoing. The established allegations against the Respondent—including threats to life, electronic harassment, and weaponising police complaints for private concessions—are grave and constitute a serious misuse of lawful institutions. In the spirit of the rule of law, these observations are made to ensure such serious conduct is properly investigated by competent authorities, while fully maintaining the Respondent's right to a fair hearing and the presumption of innocence.

Against the factual background of **paragraphs 15 to 19 of the applicant's unchallenged further affidavit of 13th April, 2026**, I note that healthcare regulation places particular emphasis upon whether a practitioner can be relied upon to act proportionately, truthfully, calmly, and in the best interests of others, especially in stressful or emotionally charged circumstances. Conduct marked by vindictiveness, threats, coercion, dishonesty, misuse of authority structures, or disregard for the life and or the welfare of others may demonstrate attitudinal deficiencies going to the root of fitness to practise. While this Court is not a United Kingdom disciplinary tribunal, it notes that the evidence of threats to kill, coercion, blackmail, violation of body autonomy by forceful sexual intercourse, and manipulation is sufficiently grave to merit the urgent attention of relevant healthcare regulators and employers. The Respondent's documented conduct indicates a lack of integrity and deficient judgment, presenting a serious public interest risk to vulnerable service users, colleagues, and confidential systems within a regulated healthcare environment. Consequently, a formal regulatory review into

the Respondent's fitness to practise as a radiographer is plainly justified to maintain public confidence in professional oversight. The Applicant has asked me to award him **aggravated damages of Eleven Billion Naira Only** against the Respondent. I will not grant it. However, I will review the demand in the light of the consecrated principles guiding the award of aggravated damages. The immense power of this Court to award damages in matters commenced under the **FREP Rules, 2009** is not in doubt as has been highlighted in **ADETONA & ORS V. EFCC & ORS (2017) LPELR-42369(CA)** by the Court as follows:

"Under Sub-section (2) of Section 46, the High Court is empowered to make such orders, issue such writs and give such directions as it may consider appropriate for the enforcement of the fundamental rights. In Minister of Internal Affairs vs. Shugaba Darman (1982) 3 NCLR 915, It was held among others that a Court can award damages for infringement of a citizen's fundamental right even where it is not expressly provided or claimed. The Court can give any relief whether claimed or not which it thinks can best secure the fundamental right in question..."

The Court must now assess damages. In doing so, I must consider the following factors: *(a) the sustained and deliberate nature of the misconduct; (b) the invasion of privacy; (c) the emotional distress caused; (d) the attempt to use fear and pressure as leverage; (e) the Applicant's established professional standing; (f) the special vulnerability of a practising lawyer to reputational injury; (g) the likely impact on concentration, confidence, and career progression.* This was not a single

isolated infringement. The Applicant was subjected to a sustained course of conduct involving threats to personal safety, covert recording of private communications, interference with dignity and autonomy, and coercive pressure through the threatened deployment of legal processes. The cumulative effect of these acts was to create an atmosphere of fear, insecurity, humiliation and emotional distress extending over a significant period. The injury suffered by the Applicant was therefore not merely reputational; it struck simultaneously at his privacy, dignity, psychological security and sense of personal safety. The Applicant's unchallenged affidavit evidence reveals that he is not a person of idle standing. He is a Barrister and Solicitor of the Supreme Court of Nigeria with over a decade of active legal practice. He further holds a Master of Laws degree in International Law from the University of Hull in the United Kingdom and was, at the material times, undertaking doctoral legal research in England. A legal practitioner of visible standing trades not in merchandise, but in reputation, trust, credibility, discretion, and professional esteem. Damage to such a person's name may be more ruinous than damage to tangible property. In **MARINE MANAGEMENT ASSOCIATES INC. & ANOR. VS. NATIONAL MARITIME AUTHORITY (2012) LPELR – 20618 (SC)** the Supreme Court, per Galadima, J.S.C., spoke of aggravated damages in this language:

"The Court may take into account the Defendants motives, conduct and manner. And where they have aggravated the plaintiff damages may be awarded. The Defendants may have acted with malevolence or spite or behaved in a high handed, malicious, insulting, aggressive manner. Aggravated damages are designed to compensate the plaintiff for his wounded

feelings". See paragraph 1189 of Halsbury's laws of England 4th Edition Vol.12 and the case of KOUNO VS. CHIEKWE (1991) 2 NWLR (PT. 173) 316".

I am convinced that the Respondent has "***acted with malevolence and behaved in a high handed, malicious, insulting, aggressive manner"*** towards the Applicant. The "***Aggravated damages***" which I will award to the Applicant ***"are designed to compensate the Applicant for his wounded feelings"***. When the conducts of the Respondent complained of in this Application are directed at an ordinary citizen, it is serious. When directed at a practising lawyer whose livelihood depends on honour, trustworthiness, composure, and professional confidence, the injury is multiplied. A lawyer accused, harassed, or placed under clouds of suspicion may lose clients, referrals, confidence, and concentration. Even where allegations are false, the stain may travel faster than vindication. The Respondent, on the Applicant's unchallenged evidence, knew of his legal career, knew of his academic pursuits, and knew of the reputational sensitivity attaching to his profession. The Court therefore finds that the conduct was not merely personal bitterness. It bore features of calculated pressure exerted against a person whose professional standing made him especially vulnerable to reputational and emotional injury. The Applicant appears to have attained through education, discipline, and professional labour a standing of substance. The law will not permit another, to recklessly endanger what years of merit have built. The totality of the foregoing impels this Court to arrive at the quantum of aggravated damages to be awarded to the Applicant strictly **as a compensation for the humiliation and indignity,** he suffered but not as a punishment to the Respondent. **It is**

compensatory (to assuage the injured feelings of the Applicant) and not punitive to inflict punishment on the Respondent.

Before concluding this judgment, this Court must address a deeply troubling aspect of the Respondent's conduct during the pendency of these proceedings—specifically, her flagrant and un-purged defiance of the clear, unambiguous Interim Orders entered by this Court on **2nd April, 2026**. At ***paragraph 9 of the Applicant's further affidavit of 13th May, 2026*** and in the **Reply on Point of Law**, the Applicant made the point that the Respondent refused to obey the interim Orders of this Court entered on the **2nd day of April, 2026**. By the explicit terms of **Orders 5, 6, and 7** of that day, the Respondent was strictly directed *to preserve all electronic communications, restrained from tampering with or deleting digital records, and mandated to file an Affidavit of Compliance within fourteen (14) days.* The record shows that these orders were duly served. Yet, the Respondent, who received the orders of this Court, chose a path of absolute silence, total non-compliance, and calculated disdain. She did not file the ordered affidavit, nor did she offer a shred of explanation for her non-compliance. The implications of this defiance strike at the very foundation of the administration of justice. Court orders are not polite invitations, nor are they advisory suggestions to be obeyed only when convenient. They are the binding commands of the Sovereign, issued through this Court, and backed by the full majesty of the law. When a party—particularly a highly trained healthcare professional whose very license demands absolute integrity—flatly flouts an explicit judicial directive, she commits an intolerable assault on the rule of law. To allow such lawlessness to pass without consequence would be to surrender the temple of justice to the whims of defiant litigants. In **HART VS HART**

(1990) LPELR 1354 WALI JSC speaking for the Supreme Court, held that: **"To allow Court orders to be disobeyed would be to tread the road toward anarchy. If orders of the Court can be treated with disrespect, the whole administration of justice is brought into scorn... If the remedies that the Courts grant to correct wrongs can be ignored, then there will be nothing left for each person but to take the law into his own hands. Loss of respect for the Courts will quickly result into the destruction of our society."**

The Respondent's failure to purge her contempt means she steps out of these civil proceedings directly into the crosshairs of criminal liability. It also invokes the operation of section 167(d) of the Evidence Act authorising this Court to presume *the existence of any fact which it thinks likely to have happened regard being had to the common course of natural events, human conduct and public and private business, in their relationship to the facts of the particular case and in particular the Court may presume that "**evidence which could be and is not produced would, if produced, be unfavourable to the person who withholds it**."* This Court by an order demanded evidence from the Respondent but she withheld it. A party who hides evidence does so at his own peril, so held the Supreme Court in **Buhari v. Obasanjo (2005) 13 NWLR (Pt. 941) 1**.

Drawing on the powers of this Court as firmly established by the Supreme Court in ***Minister of Internal Affairs vs. Shugaba Darman (1982) 3 NCLR 915,*** that this Court ***can give any relief whether claimed or not which it thinks can best secure the fundamental right in***

question and empowered **under section 46(2) of the amended 1999 constitution** to ***give such directions as it may consider appropriate for the enforcement of the fundamental rights***, I will make the following orders and give the following directives as the peculiar circumstances of the instant case justify.

Considering the grave findings regarding *threat to kill, forceful sexual violation, extortionate threats, cyber harassment, blackmail, menacing electronic communications, attempted coercion to procure false evidence and gross disobedience to the orders of this Court made on 2nd April, 2026* and for the protection of the Applicant's fundamental rights under threat as established in the instant proceedings, the Registry of this Court is hereby ordered to [within seven (7) days of the delivery of this judgement] forward a **Certified True Copy** of this Judgment and the processes in the case file to the appropriate investigative and prosecuting authorities for necessary investigation and any further action that may become necessary. I further make an order directing the Inspector-General of Police to provide special security protection to the Applicant in view of the established credible threat to his life by the Respondent.

Paragraph 3 of the Applicant's unchallenged affidavit manifests that the Respondent graduated as a Radiographer from Nnamdi Azikiwe University, Awka Nigeria. There is evidence at ***Paragraph 8 of the Applicant's unchallenged affidavit*** that the Respondent holds **Nigerian International Passport Number: B50981231**. There is also evidence at *Paragraph 6 of the Applicant's unchallenged affidavit* that the Respondent is employed **by Wrightington, Wigan and Leigh Teaching Hospitals NHS Foundation Trust, United Kingdom**. This Court is impelled, from its consideration of the unchallenged ***paragraphs***

114 to 121 of Applicant's affidavit **of 26th March, 2026 and** ***paragraphs 15 to 19 of the applicant's unchallenged further affidavit of 13th April, 2026*** to make the following considerations.

The Court cannot turn a blind eye to the professional status and calling of the Respondent in this matter. It is established before us that the Respondent is a registered Radiographer, licenced and bound by the strict ethical and professional codes of the **Health and Care Professions Council (HCPC) in the United Kingdom**, as well as the local regulatory framework under the **Radiographers Registration Board of Nigeria (RRBN)**. A practitioner in the medical imaging and radiation sciences is, by the very nature of their training, entrusted with human life, vulnerability, and the highest standards of public safety. The ethical codes governing a registered radiographer demand the absolute preservation of high moral character, emotional stability, and an unwavering commitment to doing no harm. The evidence accepted by this Court paints a picture that is absolutely opposed to these professional tenets. For a medical professional to meticulously formulate, repeat, and later attempt to justify an explicit roadmap to terminate a fellow human being's life—by stabbing them to death in their sleep—constitutes an egregious departure from the minimum behavioural standards expected of a registered clinician. It indicates a volatile temperament and a severe ethical failure that directly calls into question the Respondent's fitness to practice. The safety of patients under the care of an individual who displays such total indifference to human life cannot be guaranteed. Consequently, this Court holds that a mere restraining order against the Respondent is insufficient to fully address the systemic risks exposed by this case. The stream of justice must flow into the regulatory spheres that license the Respondent.

Accordingly, it is hereby Ordered that the Registry of this Honourable Court shall formally transmit a Certified True Copy of this Judgment to:

(a) The Health and Care Professions Council (HCPC), United Kingdom;

(b) The Radiographers Registration Board of Nigeria (RRBN);

(c) Wrightington, Wigan and Leigh Teaching Hospitals NHS Foundation Trust, United Kingdom, for an immediate fitness-to-practise investigation into the Respondent's registration;

The professional regulatory bodies are urged to determine whether an individual who legally binds her self-restraint from violence solely to 'the fear of going to jail' can safely remain on a register of trusted medical practitioners.

Having considered the reliefs sought by the Applicant, with slight modifications (tailored to meet the justice of the instant case), I am inclined to grant the following reliefs:

1. **A DECLARATION** of this Honourable Court **IS HEREBY MADE** that the secret (audio, photographic and video) recording by the Respondent of the Applicant's private conversations and dealings with the Respondent at different times without the consent of the Applicant, amounts to a violation of the Applicant's rights to privacy firmly guaranteed under section 37 of the amended 1999 Constitution of the Federal Republic of Nigeria.

2. **A DECLARATION** of this Honourable Court **IS HEREBY MADE** that the threat issued by the Respondent to stab the Applicant to death while in his sleep as admitted by the Respondent in writing on the

18th day of October, 2025 constitutes a grave threat and violation of the Applicant's right to life firmly protected under section 33 of the amended 1999 constitution of the Federal Republic of Nigeria.

3. **A DECLARATION** of this Honourable Court **IS HEREBY MADE** that the threat issued in writing on the **9th day of March, 2026** by the Respondent of instituting proceedings against the Applicant to seek financial reliefs in the United Kingdom Court with a view to exerting pressure on the Applicant into parting with his hard-earned money is oppressive, vexatious and gravely violates the Applicant's right to the dignity of his human person firmly protected under Section 34 of the amended 1999 Constitution of the Federal Republic of Nigeria.

4. **A DECLARATION** of this Honourable Court **IS HEREBY MADE** that the threat issued in writing both on the **9th and 10th day of March, 2026** by the Respondent of instituting proceedings against the Applicant to seek financial reliefs in the United Kingdom Court with a view to exerting pressure on the Applicant into parting with his hard-earned money is oppressive, vexatious and gravely violative of the Applicant's right to own properties firmly protected under Section 43 of the amended 1999 Constitution of the Federal Republic of Nigeria.

5. **A DECLARATION** of this Honourable Court **IS HEREBY MADE** that all recordings (including audio, photographic and video) made of the Applicant's conversations, dealings or interactions, whether remotely or otherwise, made by either the Respondent herself, her agents, privies, proxies or anyone acting on her instruction or at her behest, without the consent of the Applicant are inadmissible and cannot be used in any proceedings against the Applicant in any court, tribunal, or authority for whatever intent or purpose.

6. **AN ORDER** of this Honourable Court **IS HEREBY MADE** declaring void and setting aside all recordings (both audio, photographic and video remotely or otherwise) either made by the Respondent or her agents, privies, proxies or anyone acting on her instruction or at her behest, of the Applicant's dealings and conversations with her at different times without the express consent and approval of the Applicant.

7. **AN ORDER** of **PERPETUAL INJUNCTION** of this Honourable Court **IS HEREBY GRANTED** restraining the Respondent from making use of any or all electronic recording (including audio, photographic and video either remotely or otherwise) made by herself, her agents, privies, proxies or anyone acting on her instruction or at her behest of the Applicant's dealings or conversations with her at different times obtained without the express consent and approval of the Applicant.

8. **AN ORDER OF PERPETUAL INJUNCTION** of this Honourable Court restraining the Respondent from continuing to either threaten the institution of proceedings or maintaining such proceedings in the United Kingdom against the Applicant to seek financial and ancillary reliefs aimed at gold-digging and pressuring the Applicant to part with his hard-earned resources by blackmail and extortion **IS HEREBY REFUSED**.

9. **AN ORDER** of this Honourable Court awarding **aggravated damages in the sum of 11,000,000,000.00 (Eleven Billion Naira Only)** in favour of the Applicant against the Respondent **IS HEREBY REFUSED**. In its place, I award aggravated damages of **One Hundred and Fifty Million Naira Only [N150, 000, 000.00]** in favour of the Applicant and against the Respondent as compensatory damages for the cumulative violation of his fundamental rights.

10. **AN ORDER OF PERPETUAL INJUNCTION** of this Honourable Court **IS HEREBY MADE** restraining the Respondent, whether by herself, her agents, servants, privies, representatives, or any person acting on her behalf, from contacting, approaching, harassing, threatening, intimidating, or communicating with the Applicant in any manner whatsoever, whether directly or indirectly, including through telephone calls, electronic messages, social media platforms, emails, or through third parties.

11. **AN ORDER OF PERPETUAL INJUNCTION** of this Honourable Court **IS HEREBY GRANTED** restraining the Respondent from recording, intercepting, storing, distributing, or otherwise making use of any private communications, conversations, images, or personal information relating to the Applicant without his consent, whether obtained during the course of the parties' past relationship or otherwise.

12. **AN ORDER OF PERPETUAL INJUNCTION** of this Honourable Court **IS HEREBY GRANTED** restraining the Respondent from publishing, circulating, or disseminating any statements, allegations, recordings, images, or materials relating to the Applicant to any person, institution, authority, or through any media platform, including social media, with the intent or effect of harassing, defaming, intimidating, or damaging the reputation or professional standing of the Applicant.

In the landmark case of **Berliet (Nig.) Ltd. v. Kachalla (1995) 9 NWLR (Pt.420) 478**, the Supreme Court of Nigeria held that post-judgment interest is an automatic statutory right intended to deter judgment debtors from delaying payments. The Supreme Court ruled that a 10% post-judgment interest rate is generally payable on any judgment

debt from the date of the judgment until the debt is fully liquidated. In this wise, I hereby award, in the Applicant's favour, 10% post judgment interest on the judgment sum per annum. I think I can stop here.

This shall be the Judgment of this Court.

APPEARANCES:

G. A. AWOSIKA, SAN with
Chimezie C. Enuka, Esq. for the Applicant.
C.U. AZUBUIKE, Esq. with
M. C. Umunnakwa Esq. for the Respondent.

Sign
Hon. Judge
03/06/2026

HIGH COURT OF FCT
RABI GIDADO
CERTIFIED TRUE COPY
0 4 JUN 2026
SIGN