

# **KINGS LAW REPORTS**

## **(ALL SC/NOVEL CA)**

**(2013) KLR VOL 12 PART 338 pp. 4409 - 4644**

**DECEMBER 2013**

**Dedicated to the King of kings**

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#### **EDITOR'S NOTE:**

Observe that this last 2013 book contains past months judgments that were not ready for publication before now. And if as we keep publishing the 2014 books we come across any major SC case of 2013 omitted by us, we would publish it since we publish all SC.

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CRIMINAL PROCEDURE - Confession - Voluntariness - Test - Court conducts trial within trial on admissibility of such statement - And it is prosecution that begins first - As it will be wrong to call on accused to start calling witness first (H3) Oguno v. State p. 4529

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DOCUMENTS - Public document - Certification - Exhibit EA3 being uncertified public document - Is inadmissible in law and should not be countenanced (H3) *Nwaogu v. Atuma* p. 4491

ELECTIONS - Court - Pleadings - Binding nature - It is not the duty of CA to fish for disqualifying factors for senatorial office - Which were not specifically raised in the question for determination (H4) *Nwaogu v. Atuma* p. 4491

ELECTIONS - Evidence - Uncontroverted - Weight - Evidence of Osisioma Ngwa LGA being part of Abia Central Senatorial District in previous elections - Remains unchallenged and should be acted upon by court (H8) *Nwaogu v. Atuma* p. 4491

ELECTIONS - Federal HC - Jurisdiction - Expansion - 1999 Constitution ss. 4 & 228 empowers NA to add to jurisdictional limit of the court - To entertain pre election matters - And Electoral Act s. 87(9) is an addition contemplated by the sections (H4) *Gassol v. Tutare* p. 4463

EVIDENCE - Confession - Admissibility - Exhibit 4 was rightly admitted as it was tendered without objection - And PW4 through whom it was tendered - Was member of team of policemen that investigated the case (H8) *Oguno v. State* p. 4529

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STATUTES - Interpretation - Elect. Act etc - Words used in the provision clearly expressed intention of legislature - Hence court must give same its ordinary meaning - Unless where such is inconsistency with the rest of the legislation (H2) Gassol v. Tutare p. 4463

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v. Congress for Progressive Change p. 4409

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