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Dedicated to the King of kings

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CRIMINAL PROCEDURE - Conviction - Confession - Corroboration - Having found corroboration in evidence of PW1, 2 & 4 - CA was free to convict appellant on the strength of his confession (H2) Adisa v. State p. 3543

CRIMINAL PROCEDURE - Fair hearing - Breach - Allegation of concealment of appellant's statement is unfounded - As prosecution adduced evidence it felt sufficient to prove its case (H5) Adisa v. State p. 3543

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CRIMINAL PROCEDURE - Trial within trial - Conduct of - Where accused retracted his confession - Court should conduct the mini trial - But there may be an exception to the general rule (H3) Adisa v. State p. 3543

DOCUMENTS - Admissibility of - Procedure - Trial Judge is to hear arguments for and against admissibility of the document - And then either admit or reject same (H4) Wassah v. Kara p. 3631

DOCUMENTS - Rejection - Effect - Document tendered and marked rejected cannot be tendered again - It stays rejected for the purpose of the trial - In which it was marked rejected (H5) Wassah v. Kara p. 3631

DOCUMENTS - Weight - Exhibits E & F legally placed 1st defendant and his people in their present abode - Hence both exhibits are compelling and decisive - For dismissing plaintiffs' case in the HC (H10)

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Wassah v. Kara p. 3631

ELECTIONS - Actions - Locus standi - 1st-10th respondents lack locus in the action - As their amended originating summons and affidavit in support - Contain no facts of their candidature at the elections (H11) Yardua v. Yandoma p. 3661

ELECTIONS - Certificate of return - Issuance of - INEC is mandated by Electoral Act ss. 68(1)(C) & 75(1) - To issue a successful candidate with sealed certificate of return - Within 7 days of being declared a winner (H8) Yardua v. Yandoma p.

ELECTIONS - Jurisdiction - Locus standi - By Electoral Act ss. 68(1) & 75(1)(2) - 1st-10th respondents must manifest such civil rights being threatened - To enable court assume jurisdiction (H6) Yardua v. Yandoma p. 3661

ELECTIONS - Results - Declaration - Finality of - Returning officer's declaration of scores - And his return of a candidate following the declaration is final - Subject to review by tribunal or court (H7) Yardua v. Yandoma p. 3661

EVIDENCE - Production - Crime - Estoppel - Methods exist to compel production of material evidence - It is only when such are employed and opponent fails to comply - That withholding of evidence arises (H6) Adisa v. State p. 3543

JURISDICTION - Fundamentality of - It is of overriding importance - As where court lacks jurisdiction and proceed to hear a case - The proceedings no matter how well conducted are nullity ab initio (H1) Yardua v. Yandoma p. 3661

LOCUS STANDI - Meaning of - It is about plaintiff's legal right as a party in court to be heard in litigation - And whatever remedy he seeks must be founded on the legal right (H4) Yardua v. Yandoma p. 3661

MURDER - Conspiracy - Aiding & abetting - The actual presence of

appellant when the offence is committed - Together with prior abetment means his participation in the crime (H2) Salawu v. State p. 3605

MURDER - Conviction - Validity - As appellant suffered from insanity at the time of committing the murder - His conviction and sentence cannot stand (H4) Adelu v. State p. 3521

MURDER - Defence - Consideration of - Court must consider all defence available to an accused charged with murder - Whether or not such defence is specifically put up by him (H1) Adelu v. State p. 3521

MURDER - Insanity - Proof - Court may accept evidence of insanity from family history - Conduct of accused immediately preceding the killing - And finding of medical officer who examined accused (H3) Adelu v. State p. 3521

ORDERS OF COURT - Nullity - Meaning of - By virtue of SC decision in Lado's case - Proceedings and orders arising from the FHC and CA - Are deemed wiped off and never existed (H9) Yardua v. Yandoma p. 3661

ORDERS OF COURT - Retrial - When not necessary - Retrial should not be made where plaintiff fails to prove his case - And there is no substantial irregularity apparent on the record (H8) Wassah v. Kara p. 3631

ORIGINATING SUMMONS - Jurisdiction - Objection to - Where there is objection in such a matter - The procedure to adopt is to consider the objection together with the substantive matter (H3) Yardua v. Yandoma p. 3661

PLEADINGS - Binding nature of - If pleadings are to be of any use - Parties must be held bound by them (H3) Wassah v. Kara p. 3631

SUPREME COURT - Appeals - Jurisdiction - The court enjoys appellate jurisdiction - Only in respect of decisions of Court of Appeal (H12)

Yardua v. Yandoma p. 3661

SUPREME COURT - Power - SC Act s. 22 - Empowers SC to make any order necessary for determination of real question in appeal - As if the matter is prosecuted before it at first instance (H9) Wassah v. Kara p. 3631

SUPREME COURT - Supremacy of - By Constitution 1999 s. 287(1) - All persons authorities and lower courts are duty bound - To enforce the decision of the apex court (H10) Yardua v. Yandoma p. 3661

INDEX OF STATUTES & RULES

Constitution of the Federal Republic of Nigeria 1999, ss. 6(6)(b), 233(2), 251(1)(r), 285, 287(1) Yardua v. Yandoma p. 3661

Criminal Code Cap. 30 Vol. II Laws of Oyo State 1978, ss. 324, 319

Criminal Code, ss. 27, 28 Adelu v. State p. 3521

Criminal Procedure Law, s. 286 Adisa v. State p. 3543

Electoral Act 2010 (as amended), ss. 68(1)(C), 75(1)(2), 87(4)(a)(b)(ii)(c)(ii),(9) Yardua v. Yandoma p. 3661

Evidence Act 2011, s. 135(1) Adelu v. State p. 3521, s. 139(1)(2)(3)

Adisa v. State p. 3543, s. 27 Salawu v. State p. 3605

Robbery & Firearms (special provisions) Act Cap R11 Vol. 14 LFN 2004, s. 1(2)(a) Adisa v. State p. 3543

Supreme Court Act, s. 22 Wassah v. Kara p. 3631

Supreme Court of England Rules, O. 20 r. 3(1) Husseni v. Mohammed p. 3573

Supreme Court Rules, O. 2 r. 23(1) Husseni v. Mohammed p. 3573, O. 8 r. 2(1) Wassah v. Kara p. 3631