

Service on the 1st Respondt.

**IN THE HIGH COURT OF ABIA STATE OF NIGERIA
IN THE UZUAKOLI JUDICIAL DIVISION
HOLDEN AT UZUAKOLI**

SUIT NO: H474 AM /2026

**IN THE MATTER OF APPLICATION FOR
THE ENFORCEMENT OF THE FUNDAMENTAL
RIGHT OF THE APPLICANT.**

BETWEEN:

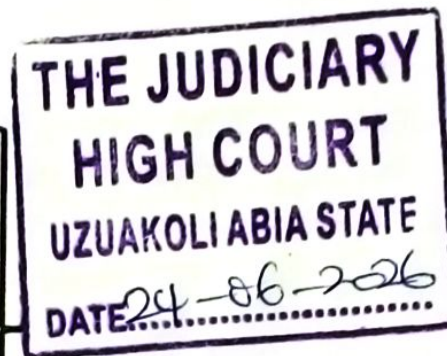
HON. ARUNSI UDUMA UGURU

:::

APPLICANT

AND

- ✓ 1. **THE DEPUTY GOVERNOR OF
ABIA STATE**
2. **CHIDI IGU UDUMA**
3. **EKE DANIEL URUM**
4. **ULU NKATA**
5. **OKORIE OLUGU**
6. **OCHU KALU AGWU**
7. **OKPO LEONARD**



RESPONDENTS

MOTION ON NOTICE

Brought Pursuant to Order II Rules, 1, 2 and 3 of the Fundamental Rights Enforcement Procedure Rules, 2009 and Section 46, 34(1) 35 and 37 respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.

TAKE NOTICE that this Honourable Court will be moved on *Friday* the *17th* day of *July* 2026 at the hour of 9 O'clock in the forenoon or so soon thereafter as the Applicant or Counsel on his behalf may be heard praying this Honourable Court for the following:

- A. *A declaration of this Honourable Court that the forceful arrest of the applicant by the 2nd to 7th respondents acting for themselves and at the behest of the 1st respondent along Amaekpu to Okagwe Road, Ohafia and his subsequent detention and torture by the Respondents on the 6th day of November, 2025 is illegal, unconstitutional and in breach of the*

applicant's right to Personal liberty, freedom of movement and right to human dignity as enshrined in Sections 35 and 34(1) respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.

- B. *A declaration of this Honourable Court that the threats by the respondents to further arrest/abduct and detain the applicant without any reasonable cause is unlawful and in breach of the applicant's right to Personal liberty and freedom of movement as enshrined in Sections 35 (1) and 41(1) respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.*
- C. *The sum of One Billion Naira being general damages caused the applicant for his unlawful arrest, humiliation, detention and physical torture by the respondents and the threats of further arrest, detention and humiliation by the respondents for committing no offence or being in breach of any known law in Nigeria and also for the respondents to publicly apologize to the applicant for the violation of his rights.*
- D. *An Injunction permanently restraining the respondents either by themselves, their agents or any person or persons acting at their behest from further arresting, detaining, torturing or in any manner interfering with the applicant's rights to personal liberty, freedom of movement and right to human dignity.*

Dated at Uzuakoli this 15th day of June, 2026




VANAGA KALU ANAGA, Esq
ADA KALU IBE, Esq.
(APPLICANT'S COUNSEL)
SOLICITOR & ADVOCATE
ANAGA KALU ANAGA & ASSOCIATES
NO. 25 RIVER LAYOUT ABA,
ABIA STATE, NIGERIA.
08034745402.
anagak@yahoo.com

FOR SERVICE ON:

1. **1st Respondent;**
*Office of the Deputy Governor
Of Abia State, Government House
Umuahia*
2. **2nd Respondent;**
*Chidi Igu Uduma
Amaekpu Ohafia*
3. **3^d respondent;**
*Eke Daniel Urum
Amaekpu Ohafia*
4. **4th Respondent;**
*Ulu Nkata
Amaekpu Ohafia*
5. **5th Respondent;**
*Okorie Olugu
Amaekpu Ohafia*
6. **6th Respondent;**
*Ochu Kalu Agwu
Amaekpu Ohafia*
7. **7th Respondent;**
*Okpo Leonard
Amaekpu Ohafia.*

**IN THE HIGH COURT OF ABIA STATE OF NIGERIA
IN THE UZUAKOLI JUDICIAL DIVISION
HOLDEN AT UZUAKOLI**

SUIT NO: **H42/ 401** /2026

**IN THE MATTER OF APPLICATION FOR
THE ENFORCEMENT OF THE FUNDAMENTAL
RIGHT OF THE APPLICANT.**

BETWEEN:

HON. ARUNSI UDUMA UGURU

::: APPLICANT

AND

1. THE DEPUTY GOVERNOR OF
ABIA STATE
2. CHIDI IGU UDUMA
3. EKE DANIEL URUM
4. ULU NKATA
5. OKORIE OLUGU
6. OCHU KALU AGWU
7. OKPO LEONARD

RESPONDENTS

**STATEMENT MADE PURSUANT TO ORDER II RULE 3 OF THE
FUNDAMENTAL RIGHTS (ENFORCEMENT PROCEDURE) RULES, 2009**

1. NAMES AND DESCRIPTION OF THE APPLICANT

Hon. Arunsi Uduma Uguru :::

The applicant is a self-employed
Person, a native of Okagwe Ohafia
In Ohafia L.G.A.

RELIEFS SOUGHT FROM THE COURT.

- A. *A declaration of this Honourable Court that the forceful arrest of the applicant by the 2nd to 7th respondents acting for themselves and at the behest of the 1st respondent along Amaekpu to Okagwe Road, Ohafia and his subsequent detention and torture by the Respondents on the 6th day of November, 2025 is illegal, unconstitutional and in breach of the*

applicant's right to Personal liberty, freedom of movement and right to human dignity as enshrined in Sections 35 and 34(1) respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.

- B. A declaration of this Honourable Court that the threats by the respondents to further arrest/abduct and detain the applicant without any reasonable cause is unlawful and in breach of the applicant's right to Personal liberty and freedom of movement as enshrined in Sections 35 (1) and 41(1) respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.*
- C. The Sum of ₦1,000,000,000.00 (One Billion Naira) being general damages caused the applicant for his unlawful arrest, humiliation, detention and physical torture by the respondents and the threats of further arrest, detention and humiliation by the respondents for committing no offence or being in breach of any known law in Nigeria and also for the respondents to publicly apologize to the applicant for the violation of his rights.*
- D. An Injunction permanently restraining the respondents either by themselves, their agents or any person or persons acting at their behest from further arresting, detaining, torturing or in any manner interfering with the applicant's rights to personal liberty, freedom of movement and right to human dignity.*

GROUND UPON WHICH THE RELIEFS ARE SOUGHT.

1. The Applicant as a law abiding citizen of Nigeria and a native of Okagwe Ohafia in Ohafia Local Government Area is entitled to his personal liberty, freedom of movement and right to human dignity.
2. The Applicant has not committed any offence or breached any known law in Nigeria to warrant the respondents to breach or curtail his enjoyment of his constitutionally guaranteed rights to personal liberty, freedom of movement and right to human dignity.
3. Under Chapter IV of the 1999 Constitution (as amended) of the Federal Republic of Nigeria, the applicant is entitled to bring this application to protect the enjoyment of his fundamental rights under threat.

Dated at Uzuakoli this 15th day of June, 2026


ANAGA KALU ANAGA, Esq
ADA KALU IBE, Esq.
(APPLICANT'S COUNSEL)
SOLICITOR & ADVOCATE
ANAGA KALU ANAGA & ASSOCIATES
NO. 25 RIVER LAYOUT, ABA,
ABIA STATE, NIGERIA.
08034745402.
anagak@yahoo.com

ML	500.-
Deed	1000.-
Order	250.-
Dep	1000.-
Exh(12)	600.-
W/Ad	200.-
Flg	200.-
Se	200.-
Kt	200.-
	<u>4,150.-</u>

Pl. Fidelity Bank
Tel. no. 0863692
24-06-2026

**IN THE HIGH COURT OF ABIA STATE OF NIGERIA
IN THE UZUAKOLI JUDICIAL DIVISION
HOLDEN AT UZUAKOLI**

SUIT NO: **H42/ 4M** /2026

***IN THE MATTER OF APPLICATION FOR
THE ENFORCEMENT OF THE FUNDAMENTAL
RIGHT OF THE APPLICANT.***

BETWEEN:

HON. ARUNSI UDUMA UGURU

:::

APPLICANT

AND

1. **THE DEPUTY GOVERNOR OF
ABIA STATE**
2. **CHIDI IGU UDUMA**
3. **EKE DANIEL URUM**
4. **ULU NKATA**
5. **OKORIE OLUGU**
6. **OCHU KALU AGWU**
7. **OKPO LEONARD**

RESPONDENTS

**AFFIDAVIT OF THE APPLICANT IN SUPPORT OF THE APPLICATION
FOR THE ENFORCEMENT OF HIS FUNDAMENTAL RIGHTS**

I, HON. ARUNSI UDUMA UGURU , Male, Christian, self-employed, Nigerian Citizen, native of Okagwe Ohafia in Ohafia Local Government Area do hereby make oath and state as follows:

1. That I am the applicant in this Suit and a native of Okagwe Ohafia Village in Ohafia Local Government Area of Abia State.
2. That 2nd to 7th Respondents in this Suit are all indigenes of Amaekpu Ohafia in Ohafia Local Government area wherein they all reside.
3. The 1st respondent is the Deputy Governor of Abia State whose office is created by the 1999 Constitution (as amended) of the Federal Republic of Nigeria. The present occupant of the office of the Deputy Governor of Abia

State is Chief Ikechukwu Emetu who is a native of Amaekpu Ohafia just as the other respondents.

4. That on the 6th day of November, 2025, along the Amaekpu Ohafia to Okagwe Ohafia Road, at Amaekpu Village, the 2nd to 7th respondents and some other persons unknown to me armed with dangerous and offensive weapons arrested and forcefully took me to a hideout within Amaekpu Community.
5. That at the said hideout, my hands and legs were tied with robes and I was made to sit on the bare floor of the uncompleted building where I was taken to. With my hands and legs tied, the respondents subjected me to various manners of physical and psychological torture while claiming that I insulted one of them, Eke Daniel Urum (3rd respondent) who is the current Councilor representing Isiama Ward in the Ohafia Legislative Council. The 2nd to 7th respondents slapped and kicked me repeatedly in turns while I was manacled.
6. That while I was being tortured, the respondents and their associates were boasting that the Police will not do anything to them as they claimed to have the backing of the 1st Respondent being the office of the Deputy Governor of Abia State which position is currently occupied by CHIEF IKECHUKWU EMETU who is also an indigene of Amaekpu Ohafia.
7. That when the 2nd to 7th respondents were torturing me, they were recording it on video and streaming it live on the internet. The 2nd to 7th respondents used sticks and fist blows on my body in the most degrading and humiliating manner and inflicted on me serious bodily injuries which caused me bleeding in most parts of my body.
8. That the 2nd to 7th respondents while humiliating me as above narrated used their phones to record it and where streaming it live. The said video recording of the event which went viral was received and downloaded by many persons and it also was posted by the respondents to my Samsung phone where I downloaded it. The flash drive wherein I downloaded the event is herein annexed and marked exhibit "A".

9. Further to the above, the Computer printouts of the pictures posted on the Internet of the events above mentioned was produced from the HP Desktop Computer when;
- (a) The Computer was regularly in use to store and process information.
 - (b) Prior to the month of November, 2025 till date and over that period the Computer received emails and other Internet correspondences.
 - (c) Over the period when the documents were produced, information of this kind was regularly supplied to the computer in the ordinary course of the use of the Computer and the said Computer was operating well over that period of time.

The Certificate of Compliance made pursuant to the requirements of Section 84 of the Evidence Act, 2011 is herein annexed and marked exhibit **"B"**.

10. That after inflicting bodily harm on me, the respondents locked me up in their private cell in the most dehumanizing manner and demanded that I can only be released upon my paying the sum of ₦500,000.00 (Five Hundred Thousand Naira).
11. That following the development above stated, I called the 1st respondent to narrate my ordeal in the hands of the 2nd to 7th respondents who claimed that they have his support in what they were doing to me but the 1st respondent did not say anything. When the 1st defendant did not say anything, I phoned the Traditional Ruler of my Community, Ezie Odum Amogu and related what I was going through in the hands of 2nd to 7th respondents to him and for him to call the 1st respondent to order the 2nd to 7th respondents to stop torturing me.
12. That I am informed by the Traditional Ruler of my Community Ezie Odum Amogu while I was still incarcerated at the uncompleted building used by the 2nd to 7th respondents as their private cell on the 6th day of November, 2025, and I verily believe him that he called the 1st respondent to ask the 2nd to 7th respondents to stop torturing me and release me but the 1st respondent did not take any action.
13. That not even the intervention of the Traditional Ruler of my Community HRH Ezie Odum Amogu could make the respondents to release me to go

and treat myself. I remained in their private cell until my relations raised the sum of ₦100,000.00 (One Hundred Thousand Naira) which was given to the respondents before they released me on bail and warned me that they will not want to see me again in any part of their Amaekpu Ohafia Community.

14. That due to the injuries inflicted on me by the respondents, I was first admitted for medical treatment at Grace Touch Clinic, No. 36 Azikiwe Road by Adelabu Street, Umuahia from where I was referred to the Federal Medical Centre, Umuahia for further treatment due to the severity of the injuries I sustained in the hands of the respondents.
15. That since the incident, I have been on constant medication and it has been extremely difficult for me to walk properly without pains.
16. That notwithstanding that I have reported the incident to the Zone 9 Police Command at Umuahia, the respondents have continued to threaten me that they will deal with me whenever they see me in Amaekpu Village and the threats have made it impossible for me to go to Amaekpu village to visit my in-laws because my wife is from Amaekpu Village. A file copy of the Petition written on my behalf by my Counsel Anaga Kalu Anaga Esq of then at No. 107 Market Road, Aba concerning the incident to the Assistant Inspector General of Police, Zone 9 Police Command, Umuahia is herein annexed and marked exhibit "C".
17. That as a result of the severity of the injuries inflicted on me by the respondents, the Police Officers at Police Area Command Ohafia on the 7th day of November, 2025 issued to me "case Request for medical treatment and Report" Form. A copy of the said Police Medical Case Request and Medical Treatment Form is herein annexed and marked exhibit "D".
18. That consequent upon the above, I went to Abundant Grace Medical Laboratories (Clinical and Diagnostic Centre) Umuahia wherein series of medical tests were conducted on me to determine the extent of the injuries that the respondents inflicted on me. The Laboratory Reports issued to me for the various tests on different dates conducted on me at Abundant Grace Medical Laboratories, Umuahia are herein annexed and marked exhibits "E, F, G, and H" while the bill issued to me by Abundant Grace Medical Laboratories after their services to me is herein annexed and marked exhibit "J".

19. That I was later admitted at the Federal Medical Centre Umuahia where I was treated for several weeks from the 10th day of November, 2025. A copy of the Treatment Sheet No. **638830** is herein annexed and marked exhibit "**K**".
20. That as part of my treatment, the Federal Medical Centre recommended so many drugs for me to buy and I bought many of the drugs receipted for mainly from Grace and Mercy Pharmacy, Lagos Street, Umuahia. The purchase receipt for the drugs I bought from Grace and Mercy Pharmacy issued to me on the 20th day of December, 2025 is herein annexed and marked exhibit "**L**" and "**L1**" respectively.
21. That I have not done any wrong to the respondents or anybody at all to deserve the treatments that the respondents are meting out to me which has restricted my movements and put me in constant fear and trauma.
22. That my wife and children since the incident have been undergoing various manners of trauma including my children being referred to in their schools as children of a disgraced criminal who was arrested, chained, beaten and his pictures posted all over the Internet.
23. That I am informed by my Counsel Anaga Kalu Anaga Esq of No. 25 River Layout, Aba and I verily believe him that the respondents have no right to unlawfully arrest, detain, torture me and curtail the enjoyment of my fundamental rights provided for in the Constitution when I have not committed any offence.
24. That I, the applicant and members of my household have suffered inconveniences and embarrassments as a result of the violations of my rights to personal liberty, freedom of movement and right to human dignity by the respondents.
25. That unless restrained by this Honourable Court, the respondents will continue to breach our fundamental rights as highlighted in this application.
26. That I do solemnly and sincerely declare that I made this solemn declaration conscientiously believing the same to be true and by virtue of the oath Act.

Ugwa
DEPONENT

Sworn to at the High Court Registry
Uzuakoli this 24th day of June, 2026.

Before me



**IN THE HIGH COURT OF ABIA STATE OF NIGERIA
IN THE UZUAKOLI JUDICIAL DIVISION
HOLDEN AT UZUAKOLI**

SUIT NO: **HUZ/ 4M /2026**

***IN THE MATTER OF APPLICATION FOR
THE ENFORCEMENT OF THE FUNDAMENTAL
RIGHT OF THE APPLICANT.***

BETWEEN:

HON. ARUNSI UDUMA UGURU

:::

APPLICANT

AND

1. **THE DEPUTY GOVERNOR OF
ABIA STATE**
2. **CHIDI IGU UDUMA**
3. **EKE DANIEL URUM**
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5. **OKORIE OLUGU**
6. **OCHU KALU AGWU**
7. **OKPO LEONARD**

RESPONDENTS

**CERTIFICATE OF COMPLIANCE MADE PURSUANT TO THE
PROVISIONS OF SECTION 84 OF THE EVIDENCE ACT, 2011.**

I, **KALU UKWENI**, Male, Christian, Nigerian Citizen, businessman native of Asaga Ohafia in Ohafia Local Government Area of Abia State, do hereby make oath and state as follows:

1. That I am self-employed business centre operator with my office at No. 6 Federal Government College Road, Ebem Ohafia.
2. That my business centre uses HP Desktop Computer for its business operations.
3. That the Computer is regularly used to store and process information related to the business activities and transactions.

4. That prior to the Month of November, 2025 till date and over other period, the Computer received email messages and WhatsApp messages.
5. That the documents were printed out by me and handed over to Hon. Arunsi Uduma Uguru.
6. That over the period when the documents were produced, information of this kind was regularly supplied to the computer in the ordinary course of the business activities of the Company and the said Computer was operating well over that period of time.
7. That I confirm that the Computer printouts which I handed over to Hon. Arunsi Uduma Uguru are exactly what was sent to computer printout which I handed over to Hon. Arunsi Uduma Uguru and reduced into flash drive are without any alteration.
8. That I do solemnly and sincerely declare that I made this solemn declaration conscientiously believing the same to be true and by virtue of the oath Act.


DEPONENT.

***Sworn to at the High Court Registry
Uzuakoli this 24th day of June, 2026.***



Anaga Kalu Anaga & Associates

(Legal Practitioners)

REG NO: BN 2311815

Mobile No: 08034745402

09072389721

e-mail: anagak@yahoo.com

e-mail: anagakel@yahoo.com

FILE COPY
Exhibit "C"

Our Ref:

Your Ref:

Dated: 14th November, 2025

**THE ASSISTANT INSPECTOR
GENERAL OF POLICE
IN CHARGE
ZONE 9, POLICE COMMAND
UMUAHIA, ABIA STATE.**

Sir,

***RE: ACTS OF KIDNAPPING, HUMAN TORTURE AND
FURTHER THREATS TO LIFE***

We write as Solicitors to and on the instructions of **HON. ARUNSI UDUMA UGURU UDUMA**, a native of Okagwe Ohafia Village in Ohafia Local Government Area of Abia State (hereinafter called "***Our Client***").

It is our Client's instruction that on the 6th day of November, 2025, along the Amaekpu to Okagwe Road in Ohafia Local Government Area, a group of boys notably CHIDI IGU UDUMA, EKE DANIEL URUM, ULU NKATA, OKORIE OLUGU, OCHU KALU AGWU, OKPO LEONARD and some others unknown to him, and while armed with dangerous and offensive weapons abducted him and forcefully took him to a hideout within Amaekpu Community.

According to our Client, at the hideout, he was subjected to various manners of physical and psychological torture by the persons above mentioned who alleged that our client insulted one of them, EKE DANIEL URUM who is the Councilor representing their Ward in the Ohafia Legislative Council. While torturing our client, his abductors were openly boasting that they have the backing or support of the current Abia State Deputy Governor – CHIEF IKECHUKWU EMETU to do what they were doing and that no authority including the Police

can stop them from carrying out their acts. The torture and humiliation of our client was recorded by his abductors and posted on the Internet and has since gone viral which our client will readily make available to you.

We are informed by our client that after many hours of torturing him physically with sticks and fist blows on his body in the most humiliating manner, he was locked up in their private cell wherein they demanded for the payment of ransom before they will release him.

Our Client also informed us that while still in the torture chamber of his abductors and tormentors, he managed to place a phone call to the Deputy Governor and narrated what he was going through in the hands of gangsters who claimed to have his support and backing, but to his shock, the deputy governor did not intervene but rather switched off his phone after listening to him. Our client equally made a phone call to the Traditional Ruler of his Community – HRH EZIE ODUM AMOGU requesting that he gets in touch with the Deputy Governor with a request for his release, which the traditional ruler did.

Despite these entreaties to the Deputy Governor by our client and HRH Ezie Odum Amogu, the torture and detention of our client was sustained for several hours until the demanded ransom ₦100,000.00 (One Hundred Thousand Naira) was paid to his abductors to effect his release. It is our client's instruction that since his release, his immediate family members and himself have continued to receive death threats from the persons who kidnapped and tortured him. Our client and his family now live in fears for their lives and properties.

It is in the light of the foregoing, that we urge you to use your good offices to give necessary directives for a thorough investigation of our client's complaint of unlawful abduction, torture and threat to his life, and, further get the perpetrators and all those behind this criminal acts on our client to face the consequences of their unlawful actions.

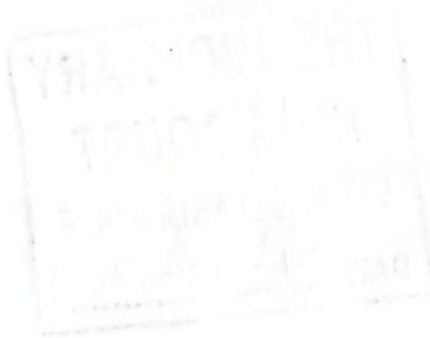
Our client and this office will readily make available the relevant information that you may require for a thorough investigation of this complaint.



Yours faithfully,

A handwritten signature in black ink, appearing to be "Anaga Kalu Anaga", written over a horizontal line.

Anaga Kalu Anaga Esq
Solicitor & Advocate
Anaga Kalu Anaga & Associates
(Legal Practitioners)
No. 107 Market Road,
Aba, Abia State.
(Solicitor to Hon. Arunsi Uduma Uguru)



Date: 7/11/2022

FLA. STATE POLICE
2025
DESPATCHED
DATE 7/11/2025
JRS COMMAND 4076

Rank & Name Of IPO: INSPECTOR CHIEF OF COMBIBUL

DATE _____

REPORT OF DOCTOR'S OBSERVATION & TREATMENT

with

ten Alc
 Patient was in with brother of
 Mr. MSK patient house 4 days.
 He was allegedly helped by assistant
 officer in charge of hospital in a court
 case. He was found with a knife in his
 hand. He was taken to hospital.
 As MSK patient brother is staying
 from - issue taken from
 - 2000 A.D. from 1000
 - 2000 A.D. from 1000
 - 2000 A.D. from 1000

ABUNDANT GRACE MEDICAL LABORATORIES

(Clinical & Diagnostic Centre)

94 Abe Road Adjacent to Oando Filling Station, Umuahia, Abia State
0702878595, 08084177897



LABORATORY REQUEST & REPORT FORM

NAME: Amos Ukwue SEX: M DATE: 12/12/25 LAB NO.

CLINICAL NOTE: UGWT SPECIMEN: 1 PROV. DIAGNOSIS:

TEST REQUIRED: DR. & SIGN:

HAEMATOLOGY/SEREOLOGY

☐ HB 13.0 ☐ PCV 37.5 ☐ ESR ☐ PLATELET ☐ WBC 15.5

☐ DIFF ☐ L.E. Cells ☐ MCHC ☐ MCV ☐ MCH

☐ MP ☐ RETICS ☐ PTTK ☐ PTTK ☐ CLOTHING TIME ☐ AHG ☐ Bleeding Time

☐ BLOOD GROUP ☐ HB GENOTYPE ☐ H. PYLORI

☐ VDRL RXN ☐ RHEUMATOID FACTOR

☐ PGT RXN

☐ HBS AG

☐ HIV I & II

☐ MANTOUX TEST

☐ AFB (Blood)

☐ SKIN MF

☐ BLOOD MF

☐ HCV

SALM. TYPHI **WIDAL RXN**

	O	A	B	H
0	<u>1:80</u>	<u>1:80</u>	<u>1:80</u>	<u>1:80</u>
H	<u>7</u>	<u>3</u>	<u>2</u>	<u>7</u>

COMMENT: 0 Titre of 1:80 & above is significant

CLINICAL CHEMISTRY

☐ RBS ☐ FBS 198 ☐ 2HRS PP ☐ CREPT NINE 0.8

☐ UREA 24.2 ☐ SODIUM 142 ☐ POTASSIUM 4.2 ☐ CHLORIDE 107

☐ BICARBONATE 24.2 ☐ URIC ACID 5.0 ☐ T.PROTEIN ☐ SGOT

☐ SPGT ☐ CHOLESTEROL 244 ☐ PROSTATIC ACID PHOS ☐ ALKPO4ASE

☐ TOTAL ACID PHOS ☐ CALCIUM ☐ TOTAL BILI 0.8 ☐ CONJBILI

☐ PSA 4.2 ☐ STOOL O/B ☐ ALBUMIN ☐ GLOBULIN

☐ URINALYSIS PROTEIN ☐ STOOL O/B ☐ ALBUMIN ☐ UROBILINOGEN

☐ P.H. ☐ KETONES ☐ ASCORBIC ACID ☐ NITRIES ☐ BLOOD

PARASITOLOGY

☐ URINE MACRO ☐ URINE MICRO

☐ RBC ☐ Pus Cells ☐ Cast ☐ Epith cells ☐ Yeast Cell ☐ OTHERS:

☐ SWAB/EXUDATE ☐ RBC ☐ Pus cells ☐ Yeast Cell ☐ OTHERS

☐ STOOL MACRO ☐ STOOL MICRO

Sign: Medical Lab. Scientist

Date

ABUNDANT GRACE MEDICAL LABORATORIES

Exhibit "F"



(Clinical & Diagnostic Centre)

94 Aba Road Adjacent to Oando Filling Station, Umuahia, Abia State
0703878595, 08084177897



LABORATORY REQUEST & REPORT FORM

NAME: <u>Amagi Hume Ugwu</u>	AGE: <u>41</u>	SEX: <u>M</u>	DATE: <u>8-11-25</u>	LAB NO.
CLINICAL NOTE	SPECIMEN	1	PROV. DIAGNOSIS	
TEST REQUIRED	2	3	DR 'C & SIGN	
	4			

HAEMATOLOGY/SEREOLOGY

☐ HB 120 115-180g/dl ☐ PCV 35 35-55% ☐ ESR 9 0-9mm/hr ☐ PLATELET 100-400 100-400X10⁹/mm³ ☐ WBC 10000 4.0-11.0X10⁹/mm³

☐ DIFF N 50, L 40, E 8, M 2, B 0 45-75%, 45-75%, 0-6%, 2-10%, 0-1% **FILM COMMENT** Ring forms of P. falciparum

☐ MP Ring forms of P. falciparum

☐ RETICS 2% ☐ L.E. Cells 0 ☐ MCHC 30-35% ☐ MCV 76-96% ☐ MCH 27-32%

☐ PTTK 9-16min ☐ PTTK 36-37min ☐ CLOTHING TIME 0-7min ☐ AHG 0 ☐ Bleeding Time 2-10Sec

☐ BLOOD GROUP Non-Reactive ☐ HB GENOTYPE Non-Reactive ☐ H. PYLORI Non-Reactive

☐ VDRLRXN Non-Reactive ☐ RHEUMATOID FACTOR Non-Reactive

☐ PGT RXN Non-Reactive

☐ HBS AG Non-Reactive

☐ HIV I & II Non-Reactive

☐ MANTOUX TEST Non-Reactive

☐ AFB (Blood) Non-Reactive

☐ SKIN MF Non-Reactive

☐ BLOOD MF Non-Reactive

☐ HCV Non-Reactive

SALM. TYPHI **WIDAL RXN**

	D	A	B	H
O	+	+	+	+
H	+	+	+	+

COMMENT: 0 Titre of 1:80 & above is significant

CLINICAL CHEMISTRY

☐ RBS 280 65-120mg/dl ☐ 2HRS PP 0.9 0.0-1.2mg/dl ☐ CREPT NINE 12 7-40mIU/L

☐ UREA 24 10-55mg/dl ☐ SODIUM 139 133-145mg/dl ☐ POTASSIUM 4.5 3.3-4.5mEq/L ☐ CHLORIDE 101 95-110mmol/L

☐ BICARBONATE 24 20-28mmol/L ☐ URIC ACID 8 2.0-7mg/dl ☐ T.PROTEIN 6.8 5.8-8.8g/dl ☐ SGOT 12 7-40mIU/L

☐ SPGT 14 7-48mIU/L ☐ CHOLESTEROL 259 100-280mg/dl ☐ PROSTATIC ACID PHOS 0.8 0.0-1.0mg/dl ☐ ALKPO4ASE 101 98-279mIU/L

☐ TOTAL ACID PHOS 4.6 1.5-5.1mIU/L ☐ CALCIUM 8.1 9-11mg/dl ☐ TOTAL BILI 0.8 0.0-1.0mg/dl ☐ CONJBILI 0.3 0.0-0.5mg/dl

☐ PSA 4.6 4-10ng/mL ☐ STOOL O/B 0 ☐ ALBUMIN 4.5 1.5-4.0mg/dl ☐ GLOBULIN 2.5 0.8-2.5mg/dl

☐ URINALYSIS PROTEIN 0 ☐ STOOL O/B 0 ☐ ALBUMIN 0 ☐ UROBILINOGEN 0

☐ P.H 6.5 ☐ KETONES 0 ☐ ASCORBIC ACID 0 ☐ NITRIES 0 ☐ BLOOD 0

PARASITOLOGY

☐ URINE MACRO 0 ☐ URINE MICRO 0

☐ RBC 0-2 ☐ Pus Cells 0 ☐ Cast 0 ☐ Epith cells 0 ☐ Yeast Cell 0 ☐ OTHERS: 0

☐ SWAB/EXUDATE 0 ☐ RBC 0 ☐ Pus cells 0 ☐ Yeast Cell 0 ☐ OTHERS: 0

☐ STOOL MACRO 0 ☐ STOOL MICRO 0

Sign: Medical Lab. Scientist

Date

ABUNDANT GRACE MEDICAL LABORATORIES

(Clinical & Diagnostic Centre)

94 Aba Road Adjacent to Oando Filling Station, Umuahia, Abia State
0703878595, 08084177897



LABORATORY REQUEST & REPORT FORM

NAME: <u>Amunor Uduong Uduong</u>	AGE: <u>40</u>	SEX: <u>M</u>	DATE: <u>01/12/20</u>	LAB NO.:
CLINICAL NOTE	SPECIMEN	PROV. DIAGNOSIS		
TEST REQUIRED		DR % & SIGN		

HAEMATOLOGY/SEREOLOGY

☐ HB 11.0 ☐ PCV 33.0 ☐ ESR 12mm/hr ☐ PLATELET 150-400 x 10⁹/mm³ ☐ WBC 9.5 x 10⁹/mm³

☐ DIFF N 50 45-75% L 40 4-35% E 9 0-6% M 18 2-10% B 9 0-1% **FILM COMMENT** (+)

☐ MP infected & p. falciparum

☐ RETICS 0.2% ☐ L.E. Cells 0 ☐ MCHC 30-35% ☐ MCV 75-95% ☐ MCH 17-37%

☐ PTTK 5-16min ☐ PTTK 56-37min ☐ CLOTHING TIME 0-7min ☐ AHG 0 ☐ Bleeding Time 2-15Sec

☐ BLOOD GROUP Non-Reactive ☐ HB GENOTYPE Non-Reactive ☐ H. PYLORI Non-Reactive

☐ VDRL/RXN Non-Reactive ☐ RHEUMATOID FACTOR Non-Reactive

☐ PGT RXN Non-Reactive

☐ HBS AG Non-Reactive

☐ HIV I & II Non-Reactive

☐ MANTOUX TEST Non-Reactive

☐ AFB (Blood) Non-Reactive

☐ SKIN MF Non-Reactive

☐ BLOOD MF Non-Reactive

☐ HCV Non-Reactive

WIDAL RXN

	D	A	B	C
O	5	2	2	1
H	4.0	7.5	7.5	2

COMMENT: 0 Titre of 1:80 & above is significant

CLINICAL CHEMISTRY

☐ RBS 2.01 ☐ FBS 2.01 ☐ 2HRS PP 0.8 ☐ CREPT NINE 0.8

☐ UREA 21.0 ☐ SODIUM 139 ☐ POTASSIUM 4.0 ☐ CHLORIDE 107

☐ BICARBONATE 26.0 ☐ URIC ACID 7.0 ☐ T.PROTEIN 7.0 ☐ SGOT 12.0

☐ SPGT 13.0 ☐ CHOLESTEROL 29.0 ☐ PROSTATIC ACID PHOS 0.8 ☐ ALKPHOS 1.0

☐ TOTAL ACID PHOS 1.0 ☐ CALCIUM 10.0 ☐ TOTAL BILI 0.8 ☐ CONJ.BILI 0.4

☐ PSA 4.2 ☐ STOOL O/B 0 ☐ ALBUMIN 1.0 ☐ GLOBULIN 1.0

☐ URINALYSIS PROTEIN 0 ☐ STOOL O/B 0 ☐ ALBUMIN 1.0 ☐ UROBILINOGEN 0

☐ PH 7.0 ☐ KETONES 0 ☐ ASCORBIC ACID 0 ☐ NITRIES 0 ☐ BLOOD 0

PARASITOLOGY

☐ URINE MACRO Non-Reactive ☐ URINE MICRO Non-Reactive

☐ RBC 0-2 ☐ Pus Cells 0-1 ☐ Cast 0 ☐ Epith cells 0 ☐ Yeast Cell 0 ☐ OTHERS 0

☐ SWAB/EXUDATE Non-Reactive ☐ RBC 0 ☐ Pus cells 0 ☐ Yeast Cell 0 ☐ OTHERS 0

☐ STOOL MACRO Non-Reactive ☐ STOOL MICRO Non-Reactive

Sign: Medical Lab. Scientist

Date

ABUNDANT GRACE MEDICAL LABORATORIES

(Clinical & Diagnostic Centre)

94 Aba Road Adjacent to Oando Filling Station, Umuahia, Abia State
0703878595, 08084177897



LABORATORY REQUEST & REPORT FORM

NAME: <u>Ameh uduka</u>	AGE: <u>45</u>	SEX: <u>M</u>	DATE: <u>05/12/18</u>	LAB NO.
CLINICAL NOTE: <u>ugum</u>	SPECIMEN	1	PROV. DIAGNOSIS	
TEST REQUIRED		2		
		3		
		4	DR 1/2 & SIGN	

HAEMATOLOGY/SEROLOGY

☐ HB 130 ☐ PCV 39.3 ☐ ESR 0.9mm/hr ☐ PLATELET 400-400X10⁹/mm³ ☐ WBC 7800 4.0-11.0X10⁹/mm³
☐ DIFF. N 50 L 40 E 9 M 68 B 9 FILM COMMENT Ring forms 10-15% (1-1%)
☐ MP Ring forms 10-15% (1-1%)
☐ RETICS 0-2% ☐ L.E. Cells 0-6% ☐ MCH 30-35% ☐ MCV 76-96% ☐ MCH 27-32%
☐ PTTK 9-16min ☐ PTTK 36-37min ☐ CLOTHING TIME 0-7min ☐ AHG 0-7min ☐ Bleeding Time 2-10Sec
☐ BLOOD GROUP Non-React ☐ HB GENOTYPE Non-React ☐ H. PYLORI Non-React
☐ VDRL RXN Non-React ☐ RHEUMATOID FACTOR Non-React
☐ PGT RXN Non-React
☐ HBS AG Non-React
☐ HIV I & II Non-React
☐ MANTOUX TEST Non-React
☐ AFB (Blood) Non-React
☐ SKIN MF Non-React
☐ BLOOD MF Non-React
☐ HCV Non-React

WIDAL RXN

	D	A	B	C
O	+	+	+	+
H	+	+	+	+

COMMENT: 0 Titre of 1:80 & above is significant

CLINICAL CHEMISTRY

☐ RBS 0.9 ☐ FBS 0.9 ☐ 2HRS PP 0.9 ☐ CREPT NINE 0.9
☐ UREA 24.2 ☐ SODIUM 139 ☐ POTASSIUM 4.2 ☐ CHLORIDE 107
☐ BICARBONATE 20.2 ☐ URIC ACID 5.0 ☐ T.PROTEIN 6.2 ☐ SGOT 27
☐ SPGT 11.2 ☐ CHOLESTEROL 242 ☐ PROSTATIC ACID PHOS 0-10LUM ☐ ALKPO4ASE 98-279mU/L
☐ TOTAL ACID PHOS 2.8 ☐ CALCIUM 9-11mg/dl ☐ TOTAL BILI 0.8 ☐ CONJBILI 0.4
☐ PSA 4.3 ☐ STOOL O/B 9-11mg/dl ☐ ALBUMIN 0.0-1.0mg/dl ☐ GLOBULIN 0.0-0.5mg/dl
☐ URINALYSIS PROTEIN 0 ☐ STOOL O/B 0 ☐ ALBUMIN 0 ☐ UROBILINOGEN 0
☐ P.H. 7.3 ☐ KETONES 0 ☐ ASCORBIC ACID 0 ☐ NITRIES 0 ☐ BLOOD 0

PARASITOLOGY

☐ URINE MACRO 0 ☐ URINE MICRO 0
☐ RBC 0 ☐ Pus Cells 0 ☐ Cast 0 ☐ Epith cells 0 ☐ Yeast Cell 0 ☐ OTHERS 0
☐ SWAB/EXUDATE 0 ☐ RBC 0 ☐ Pus cells 0 ☐ Yeast Cell 0 ☐ OTHERS 0
☐ STOOL MACRO 0 ☐ STOOL MICRO 0

Exhibit "J"



ABUNDANT GRACE DIAGNOSTIC CENTRE & LABORATORIES

94 Aba Road Adjacent to Oando Filling Station, Umuahia, Abia State
07038787595, 08084177897



Our Ref:..... Your Ref:..... Date:.....

MR Anwar ulumay ygom

The above named patient under our Facility
or different laboratory for different tests of
syphilis test

Total money spent on
the test result is

950,000
[Nine hundred and fifty thousand Naira]



FEDERAL MEDICAL CENTRE

QUEEN ELIZABETH
ABIA STATE



HOSPITAL UMUAHIA

Exhibit "K"

TREATMENT SHEET

.....HOSPITAL

UNIT NO. 638830

CONSULTANT

WARD

RECORD OFFICE

Patient's Name Arursi Udums Ugwu Age 44 yrs.
(Surname first in block letters)

Date of Birth.....

Address..... Marital status Miss/Mrs/W.....

Sex male Occupation S/E

DATE

HISTORY AND PROGRESS NOTES

10/11/08

12.32pm Dr.

% Physical Assessment 4/7.

Pt was allegedly assaulted by ~~assaults~~
folly an argument with ~~conflict~~ in a road
near ~~the~~ Project in Dhafia. They allegedly
by ~~the~~ 2 legs and ~~back~~ of
Spine and Arms

DATE

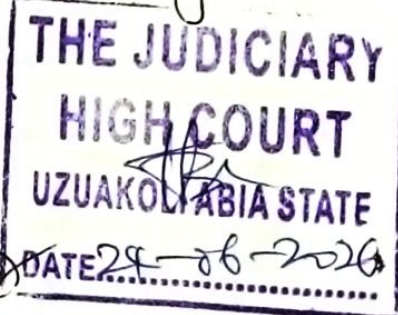
HISTORY AND PROGRESS NOTES

Infected mosquito and insect.
Her case given.

of skin on face and neck
Painful face for 9 days for 2 wks.
Spots 99.

- 1. ① more pain / Bites 2°
- 2. ② (B) Ankle swollen
- 3. ③ (B) for (B) (E) 11/11/14
- 4. ④ (B) Issue Police Report
- 5. ⑤ (B) Swell face
- 6. ⑥ (B) Refractive Sore Bore
- 7. ⑦ (B) Sore Bore
- 8. ⑧ (B) Chyrene + Bore
- 9. ⑨ (B) Discharge Sore Bore
- 10. ⑩ (B) VD Citi false 1st
- 11. ⑪ (B) In 71 D-Sm's Star
- 12. ⑫ (B) For / See the Bore

Assessing



This is the document referred to and marked as Exhibit "K"

Before Me

Commissioner for Oath

CASH/CREDIT SALES INVOICE

Bought From GRACE D. MARCY Pharmacy Sold to AKUNSI UDUMA
 Address LAGOS STATE Address OFF BEERS RD
Umuahia Abia State Umuahia

Invoice No. _____

Date _____

QTY	DESCRIPTION OF GOODS	RATE	AMOUNT	
			N	K
1 pack	Galvus met 50mg/100mg		67,000	21
	Augmentin 625 mg		26,000	3
	NEPASIL - 20		30,000	3
	CESMACIN 500 mg		18,000	3
1 pack	1 ORAGYL 400 mg		24,000	3
1 pack	IV Ceftriaxone		12,000	3
	1 ml mal		3800	3
	LYNCRIPRO 500mg		9500	3
	Tab PCM		4,000	3
1 pack	E merit		8,000	3
1	BAM		6,000	3
1	Bain large		3,500	3
Total			211,800	

Received the above goods in good condition, No refund of money after payment. If we please you tell others, if we offend you tell us.

Total N

211,800

Amount in words

Two Hundred & Eleven

Thousand Eight hundred.

Naira

Kobo

Deposit

N

THANKS FOR YOUR PATRONAGE

Bal.

N

Manager's Signature

Customer's Signature

**IN THE HIGH COURT OF ABIA STATE OF NIGERIA
IN THE UZUAKOLI JUDICIAL DIVISION
HOLDEN AT UZUAKOLI**

SUIT NO: HU2/4M /2026

**IN THE MATTER OF APPLICATION FOR
THE ENFORCEMENT OF THE FUNDAMENTAL
RIGHT OF THE APPLICANT.**

BETWEEN:

HON. ARUNSI UDUMA UGURU

:::

APPLICANT

AND

1. THE DEPUTY GOVERNOR OF ABIA STATE
2. CHIDI IGU UDUMA
3. EKE DANIEL URUM
4. ULU NKATA
5. OKORIE OLUGU
6. OCHU KALU AGWU
7. OKPO LEONARD

RESPONDENTS

**WRITTEN SUBMISSION OF COUNSEL FOR THE APPLICANT IN
SUPPORT OF HIS APPLICATION FOR THE ENFORCEMENT OF HIS
FUNDAMENTAL RIGHTS.**

INTRODUCTION

- 1.01** My lord, with respect, this is a Motion on Notice brought Pursuant to the Provisions of Order II Rules, 1, 2 and 3 of the Fundamental Rights Enforcement Procedure Rules, 2009, Sections, 46 (1), 34(1), 35 and 37 respectively of the 1999 Constitution (as amended).
- 1.02** This Motion is praying this Honourable Court for the following reliefs; that is to say;
- A.** *A declaration of this Honourable Court that the forceful arrest of the applicant by the 2nd to 7th respondents acting for themselves and at the behest of the 1st respondent along Amaekpu to Okagwe Road,*

Ohafia and his subsequent detention and torture by the Respondents on the 6th day of November, 2025 is illegal, unconstitutional and in breach of the applicant's right to Personal liberty, freedom of movement and right to human dignity as enshrined in Sections 35 and 34(1) respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.

- B. A declaration of this Honourable Court that the threats by the respondents to further arrest/abduct and detain the applicant without any reasonable cause is unlawful and in breach of the applicant's right to Personal liberty and freedom of movement as enshrined in Sections 35 (1) and 41(1) respectively of the 1999 Constitution (as amended) of the Federal Republic of Nigeria.*
- C. The Sum of ₦1,000,000,000.00 (One Billion Naira) being general damages caused the applicant for his unlawful arrest, humiliation, detention and physical torture by the respondents and the threats of further arrest, detention and humiliation by the respondents for committing no offence or being in breach of any known law in Nigeria and also for the respondents to publicly apologize to the applicant for the violation of his rights.*
- D. An Injunction permanently restraining the respondents either by themselves, their agents or any person or persons acting at their behest from further arresting, detaining, torturing or in any manner interfering with the applicant's rights to personal liberty, freedom of movement and right to human dignity.*

This application is supported by an affidavit of 26 Paragraphs deposed to by the applicant himself and annexed to the Motion paper are documents marked as exhibits "A", "B", "C", "D" "E", "F", "G", "H" "J" "K" "L" and "L1" respectively. The applicant will be relying on all the paragraphs of the supporting affidavit and the documents therein annexed as exhibits.

2

STATEMENT OF RELEVANT FACTS.

- 2.01** The Applicant is a native of Okagwe Ohafia, the 1st respondent is the Deputy Governor of Abia State being an office created in the 1999

Constitution of the Federal Republic of Nigeria (as amended) while the 2nd to 7th respondents are all indigenes of Amaekpu Ohafia.

- 2.02 Without the applicant committing any offence or breaching any known law, the respondents on the 6th day of November, 2025 got the applicant arrested, detained and tortured and warned him not to come into Amaekpu Ohafia village and extorted the sum of N100,000.00 (One Hundred Thousand Naira) from him before releasing him from their cell.
- 2.03 Based on the above facts and detailed facts contained in the applicant supporting affidavit, the applicants filed this motion.

3

ISSUES FOR DETERMINATION

- 3.01 Arising from the facts contained in the affidavit, the issues that call for determination in this application are;
- (a) *Whether the fundamental rights action can be instituted against the respondents as filed in this suit.*
 - (b) *Whether the applicant have placed sufficient facts before this court to establish the breach of his fundamental rights as enshrined in Sections 34 (1) (a), 35 (1) and 37 respectively of the 1999 Constitution of Nigeria (as amended).*
 - (c) *Whether upon establishing the breach of his fundamental right as alleged, the applicant is not entitled to damages, injunction and public apology.*

4

ARGUMENT OF ISSUES FORMULATED FOR DETERMINATION

ISSUE ONE

Whether the fundamental rights action can be instituted against the respondents as filed in this suit.

- 4.01 My lord, as endorsed on the Originating Motion on Notice, this application can be brought against some individuals and not government or any corporate body. It is submitted that decided

authorities are to be effect that individuals can be sued for the violation of fundamental right.

- 4.02 In support of the above submission, I refer the court to the decision of the Supreme Court in the case of **MR. ABIMBOLA JAIYESIMI & ORS vs. OMELIHU HUMPHREY DARLINTON (2022) ALL FWLR Part 1152 at Page 39 P 68 Paras A-B** where the court held;

"All an applicant is required to do to prove violation of his fundamental rights by the individual or an agent of government is by filing an application supported by a statement of facts and verifying affidavit in proof. It is not a criminal charge against the state or any individual as the case may be".

In the light of the above decision, I urge this court to hold that this Suit has been properly brought against the respondents and against the office of the Deputy Governor of Abia State which is an entity recognized in the 1999 Constitution (as amended).

5

ISSUE TWO

Whether the applicant has placed sufficient facts before this court to establish the breach of his fundamental rights as enshrined in Sections 34(1) (a), 35 (1) and 37 respectively of the 1999 Constitution of Nigeria (as amended).

- 5.01 My lord, it is trite that in an application for the enforcement of fundamental rights, it is the duty of the applicant to place sufficient facts before the court as the burden of proof is on he who asserts. In the case of **OBONG IME ATAKPA & 4 ORS vs. UDOM JAMES EBETOR & ORS (2015)3 NWLR Part 1447 at 549, P. 569 Paras D (CA).**

"In an application for enforcement of fundamental right, the applicant has burden of proving that his fundamental right was breached or in danger of being breached."

Also in the case of **COSMOS ONAH vs. DESMOND OKENWA & 2 ORS (2010)7 NWLR Part 1194 at Page 512**, where the Court of Appeal held;

"He who asserts must prove. The burden of proof lies on an applicant who applied for enforcement of their fundamental rights to establish by credible affidavit evidence that their fundamental right was breached. Sections 135-137 of the Evidence Act lay down the fundamentals of such proof."

5.02 With due respect, the applicant has in his supporting affidavit stated facts and document showing his ordeal in the hands of the respondents and the extent to which they humiliated him, the court is referred to Paragraphs 3-10 of the Applicant's supporting affidavit.

5.03 Arising from the above, it is profoundly submitted that the applicant need not wait until he is further arrested, detained and tortured before he can apply to this Honourable Court for the protection of his fundamental rights. This is the purport of the 3rd limb of Section 46 (1) of the 1999 Constitution and Order 2 Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules, 2009 which provides inter alia;

"Any person who alleges that any of the provision of this chapter has been, is being or likely to be contravened in any state in relation to him may apply to a high court in that state for redress."
(underlining mine).

5.04 Similarly, **NIKI TOBI JCA** (as he then was) reinforced the right of an applicant to seek redress whenever their rights are likely to be contravened in the case of **ANUKA COMM BANK (NIG) LTD vs. OLU**
(2002) 7 NCLR Page 64;

"By virtue of Section 42(1) of the 1979 Constitution and Order 1 Rules 2(1) of the fundamental rights (enforcement procedure) rules, 1979 a person has a right to action where he feels that his fundamental right is contravened or being or likely to be contravened" (Underlining mine)

Again **NIKI TOBI J.S.C.** in the case of **F.R.N.V IFEGWU (2003)15 NWLR Part 842 Page 113 at 132-**

"...By the third limb, a plaintiff or applicant need not wait for the completion or last act of contravention or infringement...."

5.05 Similarly, in the case of **HONOURABLE AHMAD vs. SOKOTO STATE HOUSE OF ASSEMBLY (2002)44 WRN 52 at 73**, the court held inter alia.

"There is also substance in the submission of the learned counsel that the appellant has an inalienable right to seek redress in the High Court of the State for threatened and breach of this constitutional guaranteed right under chapter IV of the Constitution" (Underlining mine).

5.06 With respect, the right to dignity of the human person is protected as a fundamental right under Section 34(1) of the 1999 Constitution (as amended) and has been pronounced upon by the Court of Appeal in the case of **THE ATTORNEY GENERAL AND COMMISSIONER FOR JUSTICE KEBBI STATE vs. HRH ALHAJI AL-MUSTAPHA JOKOLO & 2 ORS (2020)4 NWLR Part 1517 at page 566 P 607 Paras C-D** where the court held;

"By virtue of section 34(1) of the Constitution, every individual is entitled to respect for the dignity of his person and therefore no person:

- (a) Shall be subjected to torture or to inhuman degrading treatment;*
- (b) Shall be held in slavery or servitude; and*
- (c) Shall be required to perform forced or compulsory labour.*

5.07 Further to the above, in the above cited case, torture was defined as;

"Torture is the infliction of intense pain to the body or mind to punish, to extract a confession or information, or to obtain sadistic pleasure. In the instant case, not only was the I "respondent tortured by the Governor's agents but inhuman and degrading treatment was meted to him by handcuffing him to Obi in Nasarawa State".

5.08 Further to the above, on what is inhuman and degrading treatment, the court went on to hold in the above case as follows:

"Inhuman treatment is a physical or mental cruelty so severe that its endangers life or health. If an inhuman treatment or conduct is meted to a person, it means it is extremely cruel; that the treatment or conduct exhibited to that person is strange or bad because they do not seem human in some way. On the other hand, a degrading treatment is to do unpleasant things to someone and to make him lose self-respect. Thus, degradation is a reduction in rank, degree, or dignity. It is a lessening of a person's or thing's character or quality. It is also a wearing gown or something as by erosion....."

5.09 It is further submitted that the Provisions of Section 35(1) of the 1999 Constitution of Nigeria though not absolute, the conduct of the applicant do not come within the exceptions as provided in that Section for his fundamental rights to be tampered with in the way and manner that the respondents have done in this case.

5.10 In the light of the foregoing, I urge the court to resolve Issue Two to the effect that the applicant placed sufficient facts before this court to deserve the enforcement of his fundamental rights.

6

ISSUE THREE

Whether upon establishing the breach of their fundamental right as alleged, the applicant is not entitled to damages, injunction and public apology.

6.01 It is submitted with respect that the applicant haven successfully proved the breach of his fundamental rights as claimed by him, he is entitled to damages and injunction as claimed by him.

6.02 My lord, the award of damages or grant of injunction are not made just for the asking but are based on established facts which must conclusively proof wrongful infringement of the Applicant's rights and the need to prevent further infringement of such right.

6.03 It is submitted with respect that the Applicant having established the breach of his Fundamental Rights, the Court can award them damages because redress of any kind be it injunction or damages is only available to a person who has successfully proved that any of his Fundamental Right

have been breached, for this submission, I refer the Court to the decision of the Court of Appeal in the case of **IGWE vs. EZEANOCHIE (2010)7 NWLR Part 1192 at 61 Ratio 14 at Page 72** where the Court held;

"It is the duty of the court to grant redress to any person who has successfully proved that any of his fundamental rights has been, is being or is likely to be contravened or infringed".

6.04 It is further submitted that damages can be awarded against a Respondent when the act complained of is either established or traceable to such Respondent in any way. On principles governing grant of General Damages, the Court of Appeal in the case of **OZIGBU ENGINEERING COMPANY LIMITED vs. PHILIP IWUAMASI (2009)16 NWLR Part 1166 at 44, PP 65-66 Paras F-A** held;

"The nature of general damages is that it is presumed by law to flow automatically from a wrongful act or conduct. Therefore, general damage or their quantum do not need to be specifically claimed and proved once an injury is proved to have resulted from wrong committed or precipitated by a Respondent. The manner in which general damages is quantified by the Court which is empowered to assess same is by relying on what would be the opinion and judgment of a reasonable person making into account the peculiar facts and circumstances of the case".

In this case, the Medical Treatments that the applicant went through leading to issuance to him of exhibits "D", "E", "F", "G", "H", "J", "K", "L" to "L1" respectively is traceable to the wrongful and unlawful acts of the respondents.

6.05 With due respect my lord, it is submitted that once an applicant shows unlawful arrest and detention as the applicant have done in this case, the length of the detention is irrelevant in computing damages due to the applicant, I refer the court to the decision of the Supreme Court in the case of **MR. ABIMBOLA JAIYESIMI & ANOR vs. OMELI HUMPHREY DARLINGTON & ANOR (2022) ALL FWLR Part 1152 at 39, PP 69-70 Paras H-B;**

"Where an arrest and detention was unlawful, it does not matter the length of time the plaintiff was detained, it is the unlawful action

that has to be compensated in damages once the plaintiff proves his right to freedom of movement has been breached at the instigation or by the respondent. There is no need to show any special evidence of damage, so long as there is preponderance of evidence of the breach of the right to freedom".

- 6.06 My lord, since the applicant have shown that he was unlawfully arrested, detained and is still being threatened with further arrests and detentions, he is entitled to compensation and apology especially for the 3rd applicant; I refer the court to the decision of the Supreme Court in the case of **LIVING MITIN vs. THE COMMISSIONER OF POLICE BAYELSA STAE COMMANDS, YENAGOA & 3 ORS (2023)12 NWLR Part 1898 at 259, PP. 286, Paras C-D 287 Paras D-E;**

"By virtue of sections 35(6) of the 1999 Constitution (as amended), any person who is unlawfully arrested or detained shall be entitled to compensation and public apology from the appropriate authority or person".

- 6.07 It is therefore submitted that the applicant having established that the respondents breached his fundamental rights, damages can be awarded in his favour and order for public apology made in his favour.

7

INJUNCTION

- 7.01 In the instant case, since the applicant have shown that his fundamental rights as highlighted in this application has been violated, injunction can issue against the respondents since the essence of injunction is to prevent the violation of an established right, for this submission, I refer the court to the decision of the Supreme Court in the case of **GLOBE FISHING INDUSTRY LIMITED vs. COKER (1990) NWLR Part 162 at Page 265 P. 293 Paras E-G** where the court held;

"An Application for an interlocutory injunction is not the same as that for a perpetual injunction. Whereas a perpetual injunction can only be granted after a trial and the applicant has established his right and actual or threatened infringement of it, an interlocutory injunction is granted pending trial of the action in order to keep the matters in status quo until the issues in controversy between the parties can be tried and determined ..."

CONCLUSION

8.01 In conclusion therefore, it is hereby submitted that the applicant has shown the following:

- (a) The applicant committed no offence to deserve being arrested, detained and tortured by the respondents.
- (b) The applicant having been unjustly arrested, detained and facing threats of further arrests and detention by the respondents for committing no crime or breaching any known law in Nigeria is entitled to damages and injunction.
- (c) The applicants are entitled to damages injunction and public apology for the violation of their fundamental rights by the respondents.

8.02 Consequently, this court is urged to grant this application.

May it Please the court.

Dated at Uzuakoli this 15th day of June, 2026.


**✓ANAGA KALU ANAGA Esq.
ADA KALU IBE Esq
(APPLICANTS' COUNSEL)
SOLICITORS & ADVOCATES
ANAGA KALU ANAGA & ASSOCIATES
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