

**IN THE CIRCUIT COURT HELD AT ACHIMOTA, ACCRA ON TUESDAY,
THE 30TH DAY OF MAY, 2023 BEFORE HER HONOUR AKOSUA
ANOKYEWAA ADJEPONG (MRS.), CIRCUIT COURT JUDGE**

D2/006/23

CASE _____ NO.:

THE REPUBLIC

VRS

**MARIA ODURO @ MARIA BOATEMAA
KWAME FRANK @ LARGE**

1ST ACCUSED PERSON PRESENT
2ND ACCUSED PERSON AT LARGE

A.S.P. STEPHEN AHIALE FOR THE REPUBLIC PRESENT

DIVINE EFFAH DARTEY FOR THE 1ST ACCUSED PERSON PRESENT

JUDGMENT

The 1st accused person herein was arraigned before this court on 30th March, 2023 charged together with the 2nd accused person who never appeared before this Court. The charges were conspiracy to commit crime to wit Defrauding by False Pretences and three (3) counts of Defrauding by False Pretences contrary to *sections 23 and 131 of the Criminal and Other Offences Act, 1960 (Act 29)* respectively.

The trial therefore was in respect of the 1st accused person. She pleaded guilty with explanation to the charges after they had been read and explained to her in Twi, being her language choice.

The explanation of the 1st accused person on count one was:

"I did not intend to agree with Kwame Frank to defraud the complainants. He did not act in good faith so I plead with the court to grant me bail so that I can go and look for the complainant's money for them."

She further gave an explanation on count two as follows:

"It was not my intention to take the said amount from Eric Asford Prah but I was convinced by Kwame Frank and upon Kwame Frank's earlier ability to secure visa for people made me believe what he said but I never knew he could do that."

On count three, the 1st accused person gave the following as her explanation to her guilty plea:

"With Benedicta Dzakpasu I have secured visa for her clients before but I did not know Kwame Frank can do this to me. So I plead for bail to be able to get all these money for them."

The 1st accused person's explanation to her plea of guilty on count four:

"It is true that they gave the money to me but I never had the intention to defraud her. It is Kwame frank who did not act faithfully with me so I plead with the court to give me time to pay the money."

Upon listening to the explanation of the 1st accused person on all the four counts, the court entered a plea of not guilty for her on all the charges and conducted a trial.

The facts of the case as presented by the prosecution are that the complainants, Eric Asford Prah, Benedicta Dzakpasu and Felicia Adom are business people in Accra. A1 Maria Oduro is a female pastor and self-styled travel and tour agent in Accra. Sometime in October 2022, one Harrison introduced Benedicta Dzakpasu to A1 as travel and tour agent who secures travel visa of all countries to persons seeking to travel abroad. Benedicta Dzakpasu then informed her colleagues Eric Asford Prah and Felicia Adom. Benedicta Dzakpasu contacted A1 on her phone and A1 directed her to inform her colleagues to meet her, accused at Movenpick Ambassador Hotel, Accra. On 10th October 2022, A1 met complainants at Movenpick Ambassador Hotel, Accra and took an amount of GH¢127,000.00 from Eric Asford Prah as deposit for her accused to secure Canada visa, Italian visa, United Kingdom visa, United States of America visa, Dubai and Qatar visa for Eric Asford Prah's clients. Accused further took GH¢3,000.00 from Eric Asford Prah to get his travel and tour company registered for him but failed. A1 took GH¢32,000.00 and GH¢43,000.00 from complainants Benedicta Dzakpasu and Felicia Adom respectively as deposits to aid her secure UK visa, USA visa, Canadian visa, Dubai visa and Qatar visa for complainants' clients within a period of three weeks. A1 told complainants that she stays at Gbawe, Accra and her husband is based in the United Kingdom hence, her source of connections with the embassies but it was revealed that A1's legal husband is a mechanic at Gbawe, Accra. On 1st March 2023, police invited A1 to report at the Unit on 7th March 2023 to assist in investigations but she failed to report. On 19th March 2023, A1 was arrested at her residence address AD-186-6993, Ghana Bar, Ahwia, Kumasi. Investigations revealed that A1 is a pastor and founder of Mountain of Strength Prayer Ministries based in Kumasi on same address. During interrogation, A1 admitted the offence and told police that she was contracted by

A2 Kwame Frank who A1 usually met at Movenpick Ambassador Hotel premises and hands over monies taken from victims to. A1 could not take police to A2's residence or office. After investigations A1 was charged with the offences and put before this honourable court.

In proving its case, the prosecution called four (4) witnesses and tendered ten (10) exhibits in evidence.

PW1 Benedicta Dzakpasu confirmed the facts as presented by the prosecution and added that when they met the 1st accused person, she confirmed to them that she has license to operate as a travel and tour agent and that she was ready to assist any one they know and is interested in travelling abroad. She continued that she gave the 1st accused person three people who wanted to travel to Dubai, Canada and Qatar. That the 1st accused person made her pay a deposit of GH¢32,000.00 to her and promised that she will secure the visa for them in three weeks after which she will collect the balance. That she did not hear from her again until after two months and she started giving her excuses and said she was arrested by the police at the Mallam Junction Police station but when they followed up to find out they were told there was no incidence like that. That they also went to a house she told them she lives at Gbawe to find out if she was around but they were told she had left the house in the first week of November 2022.

PW2 Eric Asford Prah also confirmed the facts as presented by the prosecution and further told the court that the 1st accused person told him that she takes GH¢60,000.00 per head when he told her that his wife wanted to travel to the United Kingdom and one Leticia Ohenewaa to the United States of America. That the 1st accused person told him to deposit GH¢30,000.00 each for her

assistance so he gave her GH¢37,000.00 and about a week later the 1st accused person asked him to give her GH¢3,000.00 to enable her get a travel and tour company registered in his name which he did. According to PW2, in the same month he paid additional GH¢90,000.00 to the 1st accused person as deposits made by eight people seeking to travel to Dubai, Italy, Canada and Kuwait. That the 1st accused person promised to secure the visa for his clients within a period of three weeks but went into hiding after she took a total of GH¢130,000.00 from him.

PW3 Felicia Adom confirmed the facts as presented by the prosecution and further added that the 1st accused person made her pay a deposit of GH¢43,000.00 to her when she gave her six people who wanted to travel to Barbados, United States of America, Qatar and Kurdistan. That she promised that she will secure the visa for them in three weeks after which she will collect the balance. That after the third week she called the 1st accused and she told her she was in church somewhere and at 3:00pm that day, she would refund her money to her but she failed. According to PW3, the 1st accused person later blacklisted her number and ended all communications with her. That she did not hear from her again until 20th March 2023 when PW1 informed her that 1st accused person had been arrested by the Police Intelligence Unit, Accra.

PW4 (Investigator), Detective Corporal Gideon Appiah Kubi testified that in the course of his investigation, he invited the 1st accused person on phone to report at the Intelligence Unit of the RCID/AR on 7th March 2023 to assist in investigations but she failed so based on intelligence the 1st accused person was arrested at her residence in the Ashanti Region on 19th March 2023 and brought to Accra for investigations. That during interrogations the 1st accused person admitted the offences and mentioned the 2nd accused person as her accomplice who she

usually meets at Movenpick Ambassador Hotel premises and hands over the monies taken from victims to him but she could not provide any information about the 2nd accused person that could assist the Unit reach him for investigations. That he took investigation caution statement from the 1st accused person in the presence of an independent witness. According to PW4, his investigations revealed that in the month of October 2022, one Harrison who is a friend to PW1 met the 1st accused person on Tiktok who told Harrison that she assists in the acquisition of visas to people who want to travel abroad to work. Harrison then discussed this with PW1 and introduced her to the 1st accused person. PW4 recounted the brief facts of the case as part of what was disclosed during his investigations. He added that in the course of the investigations, he took custody of Republic of Ghana Passports which he tendered in evidence as exhibits 'A' to 'H' being copies of passports of individuals who wanted to travel abroad as mentioned by the complainants. PW4 also tendered in evidence, the investigation caution and charge statements of the 1st accused person as exhibits 'J' and 'L' respectively without any objection.

Thereafter, the prosecution closed its case.

After the close of the case of the prosecution, the Court examined the evidence of the prosecution witnesses to determine whether a prima facie case had been made by the prosecution to warrant the 1st accused person to open her defence. The Court then ruled that a prima facie case had been made and the 1st accused person was called upon to enter into her defence.

In view of the above, the Court found that the 1st accused person had a case to answer. The court however explained the rights of the 1st accused person to her

that she can decide to keep quiet and not say anything; or give a statement from the dock or enter the witness box and give evidence. The court also reminded the 1st accused person of the charges against her. The 1st accused person in response told the court that she will be silent.

The 1st accused person did not also call a witness.

The legal issues to be determined are:

- 1. Whether or not the 1st accused person herein did conspire with the 2nd accused person (at large) to defraud the complainants by false pretence.*
- 2. Whether or not the 1st accused person herein did defraud the complainants by falsely representing to them that if they paid the said amount of GH¢205,000 to her as deposit, she could secure their clients visa for the various countries mentioned within three weeks of taking the said deposit, which statement she well knew to be false at the time of making it.*

The general principle of law in every criminal case as provided under **section 11(2) of the Evidence Act, 1975 (NRCD 323)** is that:

“In a criminal action the burden of producing evidence, when it is on the prosecution as to any fact which is essential to guilt, requires the prosecution to produce sufficient evidence so that on all the evidence a reasonable mind could find the existence of the fact beyond reasonable doubt”

The general principle of law in every criminal case as stated in the case of **Asare v The Republic [1978] GLR 193 – 199**, per Anin J. A. reading the Court of Appeal decision is that:

“There was no burden on the accused to establish his innocence, rather it was the prosecution that was required to prove the guilt of the accused beyond all reasonable doubt.”

The learned judge continued to state that:

“The accused is presumed innocent until his guilt is established beyond reasonable doubt; that the burden is rather on the prosecution to prove the charge against him beyond reasonable doubt.... The judge or magistrate must on a consideration of the whole evidence, be satisfied of the guilt of the accused before he may convict”

The 1st accused person has been charged together with the 2nd accused person (at large) with conspiracy to commit crime namely defrauding by false pretences, and the substantive offence of defrauding by false pretences under **sections 23 and 131(1) of Act 29**.

Before examining the evidence given at the trial it is important to set out the provisions of **Act 29** under which the accused persons have been charged.

Section 23(1) of Act 29 provides that:

“Where two or more persons agree to act together with a common purpose for or in committing or abetting a criminal offence, whether with or without a previous concert or deliberation, each of them commits a conspiracy to commit or abet the criminal offence.”

In law, Conspiracy consists not merely in the intention of two or more persons, but also in the agreement of two or more persons to do an unlawful act or to do a lawful act by an

unlawful means. And a person could be charged with conspiracy to commit a crime whether he was involved in the conspiracy before the act (accessory before the fact) or after the act (accessory after the fact). What is material is whether there was a common design by the parties to commit the crime.

To found conviction for conspiracy, the prosecution has the duty to establish the following ingredients:

1. That the offence involved two or more persons;
2. That those persons agreed to act together; and
3. That they acted together with a common purpose, i.e. to commit a crime or do an unlawful act or a lawful act by an unlawful means.

In the case of *Faisal Mohammed Akilu v. The Republic [2017-2018] SCGLR 444* the Supreme Court per Yaw Appau JSC stated the current Ghanaian Law on Conspiracy as follows;

“Conspiracy could therefore be inferred from the mere act of having taken part in the crime where the crime was actually committed. Where the conspiracy charge is hinged on an alleged acting together or in concert, the prosecution is tasked with the duty to prove or establish the role each of the alleged conspirators played in accomplishing the crime”.

Section 132 of Act 29 provides:

“A person defrauds by false pretences if, by means of a false pretence, or by personation that person obtains the consent of another person to part with or transfer the ownership of a thing.”

From the above, the elements of defrauding by false pretences are as follows:

1. The use of false pretence or personation,
2. To obtain the consent of another person,
3. So that the person parts with or transfers the ownership of something.

Section 133 of Act 29, in defining defrauding by false pretences, lays out the following ingredients:

1. Representing the existence of a state of fact,
2. Either with the knowledge that such representation is false or without the belief that it is true,
3. The representation should be made with the intention to defraud.

Archer J. (as he then was) in the case of *Blay v. The Republic [1968] GLR 1040-1050* stated:

“In a charge of defrauding by false pretences, if the evidence showed that the statements relied on consisted partly of a fraudulent misrepresentation of an existing fact and partly of a promise to do something in future, there was sufficient false pretence on which a conviction could be based”.

After a careful examination of the evidence led at the trial, I made the following findings of facts and observations:

From the evidence of PW1, PW2 and PW3, they gave the amounts of GH¢32,000.00, GH¢130,000.00 and GH¢43,000.00 respectively to the 1st accused person after she told them that if they made such deposits of money to her, she could secure their clients visa for United Kingdom, Italy, United States of America, Dubai, Qatar and Canada. From the evidence of the prosecution

witnesses, the 1st accused person also told them that her husband lives in the United Kingdom and that they are connected to the embassies so this made them convinced about the 1st accused person's ability to secure the said visa for the said countries for their clients.

From the evidence of the PW1, PW2 and PW3, the 1st accused person promised them that she will secure the visa for them in three weeks after she took their money and thereafter collect her balance but they did not hear from her after the third week. That the 1st accused person started giving them stories when they heard from her, that she was arrested by the police as her previous clients had reported her to the police station for fraud but when they went to the said police station to find out about what the 1st accused person had told them, the station officer said there was no such case reported.

From the evidence on record the 1st accused person did not secure the said visa as she promised the complainants after she took their money and did not also refund their money to them.

PW4, also testified in court that his investigations disclosed that the husband of the 1st accused person is a mechanic at Gbawe Zero, Accra; and not based in the United Kingdom as the 1st accused person told the complainants and used that to convince them.

From the evidence on record, at the time the 1st accused person took the amount of GH¢205,000.00 from the complainants towards the acquisition of visa for the clients of the complainants, her husband was not based in the United Kingdom who had connections with the said embassies but rather was at Gbawe Zero, as a mechanic.

Indeed the 1st accused person falsely represented to the complainants that she could assist them secure visa for their clients if they made the said payment to her, by which belief, the complainants paid GH¢205,000.00 to the 1st accused person when she knew that she was not in the position to assist the complainants secure the said visa for the various countries for their respective clients.

In the investigation caution statement of the 1st accused person dated 19th March 2023, which was tendered in evidence by PW4 in support of the case of the prosecution against the 1st accused person, she stated as follows:

“Sometime in October 2022 Benedicta Dzakpasu introduced one Eric Asford Prah and his wife Felicia to me to assist them in acquiring United States of America, United Kingdom, Italy, Canada, Qatar and Dubai travelling visa for their clients. I assured them I could be of help to them. I told them to get me the necessary documents for foreign travels and make deposits of a fee I cannot remember to them. Each country had its own charge. In all I could remember Eric Asford Prah and wife gave me an amount of GH¢130,000.00 as deposit made for eleven persons. One out of the eleven was to be taken to Qatar, four for Dubai visa, two for United Kingdom visa, two for Canada visa and one for United States of America visa. I admit I also took GH¢3,000.00 from Eric to assist him get his company registered but failed. Benedicta Dzakpasu also brought eight of her clients to me to acquire two Dubai visas; two Qatar, one Canadian visa and other five persons also for Dubai visa. I took a deposit of GH¢33,000.00 from Benedicta. I gave all the people acquiring UK, USA, Italy and Canada visa to my business partner, Kwame Frank to work on them and all persons acquiring Qatar and Dubai visa to one Kelvin also known as Mr. Ofori to work on them. I gave all the deposits sent to me by Eric and Benedicta to Kwame Frank and Mr. Ofori. They

have both ended all communications with me. I do not know their houses and offices. I used to meet them at Movenpick Hotel, Accra. I have admitted I took their money but could not assist them. I am pleading with my clients and police to give me some time to refund their money.”

In her charge statement taken on 22nd March 2023, the 1st accused person gave a similar statement and added that Kwame Frank was her boss and she gave all the money she collected from the complainants to him; and that after taking the said money from her, ended all communications with her. She also added that she took GH¢43,000.00 from Felicia.

From the investigation caution and charge statements of the 1st accused person which were duly tendered in evidence without any objection from her, the 1st accused person admitted that she took the said GH¢205,000.00 from the complainants but gave to one Kwame Frank; and that the said Kwame Frank never took her to his house or office so she is pleading to be given time to refund the money.

These statements were taken from the 1st accused person in compliance with all the relevant provisions of *Section 120 of the Evidence Act, 1975 (NRCD 323)* applicable to the taking of confession statements and which was designed to protect accused persons.

Akamba JSC in the case of *Ekow Russel v. The Republic [2016] 102 GMJ 124 SC*, stated as follows:

“... A confession is an acknowledgment in express words, by the accused in a criminal charge, of the truth of the main fact charged or of some essential part of

it. By its nature, such statement if voluntarily given by an accused person himself, offers the most reliable piece of evidence upon which to convict the accused. It is for this reason that safeguards have been put in place to ensure that what is given as a confession is voluntary and of the accused person's own free will without fear, intimidation, coercion, promises or favours ..." (Emphasis mine)

From the evidence before this court, the investigation caution and charge statements of the 1st accused person is not too different from the case of the prosecution on the issue of the 1st accused person knowing very well that she could not obtain visa for the complainant's clients at the time of taking their money but she still went ahead and collected their money and further promised them that she will secure the said visa for them within three weeks of taking their money.

There is no evidence before this court that the 1st accused person gave the said GH¢205,000.00 she collected from the complainants to the said Kwame Frank. PW4 in his evidence told the court that the 1st accused person after admitting the offences and mentioning the 2nd accused person as his accomplice could not provide any information about him that could assist the police to reach him for investigations. The 1st accused person after stating that she gave the said money to the said Kwame Frank ought to have given information about him to enable the police extend their investigations to him but she did not.

It is not reasonably probable that the 1st accused person who stated in her caution statement that the said Kwame Frank is her business partner, did not have any information about him, if indeed there exists such a person. The 1st accused

person should at least have the contact details of the said Kwame Frank and ought to have given same to the investigator to conduct investigations on her allegation that she gave the GH¢205,000.00 to that person but she did not.

The House of Lords, in *Welham v. Director of Public Prosecutions [1961] A.C. 103*, held, as stated in Archbold, Criminal Pleading, Evidence and Practice (36th ed.), paragraph 2043 at page 753 that:

“Intent to defraud means an intent to practice a fraud on someone and would therefore include an intent to deprive another person of a right, or to cause him to act in any way to his detriment ...”

In the case of *Asiedu v. The Republic [1968] GLR 1-8*, Amisshah J.A. stated thus:

“An intent to defraud is an essential element of the offence of defrauding by false pretences whether the method of fraud adopted was personation or a false representation”.

In the instant case, the 1st accused person falsely represented the fact that she could assist the complainants obtain visa for their clients when she knew very well that she could not. She now claims that she gave the said money to one Kwame Frank and could not give any information about this person she allegedly gave the money to. Therefore from the evidence of the prosecution witnesses, the 1st accused person represented facts to the complainants and took their money knowing very well that the statement she made to them that she was going to secure visa for their clients within three weeks of collecting the said money and that her husband is based in the United Kingdom and that they are connected to the embassies, were false statements because she well knew that her husband is a mechanic who lives at Gbawe Zero, Accra and were not connected

to the embassies and she was also not in the position to secure visa for the complainant's clients even after the three weeks she stated.

On the question of false representation, it is apparent from the evidence of the prosecution witnesses that the 1st accused person falsely made representations to them as stated above and as a result of this they were induced to pay a total sum GH¢205,000.00 to the 1st accused person who parted away with it and went into hiding until she was arrested by the Police Intelligence Unit.

At page 1049 the court in the case of *Blay v. The Republic* (*supra*), stated:

"If a man makes statements of fact which he knows to be untrue, and makes them for the purpose of inducing persons to deposit with him money which he knows they would not deposit but for their belief in the truth of his statements, and if he intends to use the money thus obtained for purposes different from those for which he knows the depositors understand from his statements that he intends to use it, then, although he may intend to repay the money if he can, and although he may honestly believe, and may even have good reason to believe, that he will be able to repay it, he has an intent to defraud."

In the instant case not only was the representation to the complainants false, the 1st accused person took advantage of the deceit and defrauded the complainants as it is not reasonably probable that there exists any business partner of the 1st accused person and she could not even give his telephone number to the police for further investigations.

All that the 1st accused person needed to do was to raise a reasonable doubt in the case of the prosecution but she could not do so as she did not give any evidence to tell her side of the case when she was given the opportunity to do so.

After evaluating all the pieces of evidence adduced during the trial, I find that the evidence points to only one irresistible conclusion that the 1st accused person defrauded the complainants.

In the case of *Commissioner of Police v. Isaac Antwi* [1961] GLR 408-412, it was held that the accused person is not required to prove anything. All that is required of him is to raise a reasonable doubt as to his guilt.

This is further emphasized by *sections 11(3) and 13(2) of the Evidence Act, 1975 (NRCD 323)*. *Section 11(3)* provides that:

“In a criminal action, the burden of producing evidence, when it is on the accused as to a fact the converse of which is essential to guilt, requires the accused to produce sufficient evidence so that on the totality of the evidence a reasonable mind could have a reasonable doubt as to guilt.”

Section 13(2) provides that:

“Except as provided in section 15 (c), in a criminal action, the burden of persuasion, when it is on the accused as to a fact the converse of which is essential to guilt, requires only that the accused raise a reasonable doubt as to guilt.”

The 1st accused person did not give evidence to attempt to raise a reasonable doubt in the case of the prosecution. From the evidence before this court, the 1st

accused person did not have any defence to the charge against her and so could not raise a reasonable doubt as to her guilt.

I support my decision with the dictum of Denning J. (as he then was) in the case of Miller v. Minister of Pensions [1947] 2 All E.R. 372 at p. 373 where he said:

"Proof beyond reasonable doubt does not mean proof beyond the shadow of a doubt. The law would fail to protect the community if it admitted fanciful possibilities to deflect the course of justice. If the evidence is so strong against a man as to leave only a remote possibility in his favour which can be dismissed with the sentence 'of course it is possible, but not in the least probable,' the case is proved beyond reasonable doubt, but nothing short of that will suffice."

I also rely on the case of Lutterodt v. Commissioner of Police [1963] 2 GLR 429–440, where Ollennu J.S.C, delivering the judgment of the Supreme Court stated that:

"If quite apart from the defendant's explanation, the court is satisfied on a consideration of the whole evidence that the accused is guilty, it must convict".

Apaloo JA (as he then was) in the case of Asare & Others v. The Republic (No. 3) [1968] GLR 804-925 stated:

"The offence of fraud by false pretences seeks to punish anyone who deceives another to his detriment and which deceit operated to the material advantage of the deceiver".

From the explanation of the 1st accused person to her plea of guilty, I find that her explanation was not reasonably probable and do find that the prosecution

has been able to prove that the 1st accused person is guilty of the offences in counts two, three and four; for which she has been charged.

On the other hand, there is no concrete evidence before the court to sustain the charge of conspiracy to commit crime to wit defrauding by false pretences. Consequently, the charge of conspiracy to commit crime to wit defrauding by false pretences is hereby dismissed. As a result, I acquit and discharge the 1st accused person on count one.

For the foregoing reasons, I find the 1st accused person herein, guilty of the charges of defrauding by false pretences against her on counts two, three and four; and I accordingly convict her on the said counts.

Having considered that the 1st accused person is a woman and relying on *section 313A (1) of the Criminal and Other Offences (Procedure) Act, 1960 (Act 30)*, I do hereby order that the convicted accused person be tested for pregnancy before sentence is passed on her. The sentence is deferred until the court is furnished with the results of the said pregnancy test.

1st June, 2023

Prosecutor: The Court ordered for a pregnancy test and we have done it twice. They all have the same results. We have with us the results of the pregnancy test as ordered by the Court and ready to give to the Court.

Court: The results of the pregnancy tests conducted on 30/05/2023 and 31/05/2023 at the Ghana Police Hospital indicate that the 1st accused person is not currently pregnant.

Q: Any plea in mitigation before sentence is passed?

A: Counsel for the 1st accused person has made a plea in mitigation on behalf of the 1st accused person to the effect that the Court should temper justice with mercy; that the 1st accused person is remorseful so the Court should give a lenient sentence. He prayed the Court to give a fine instead of a custodial sentence.

Q: Is the 1st accused person known to the police?

A: No, she is a first time offender.

By Court:

In sentencing the 1st accused person, the Court takes into consideration counsel's plea for mitigation on her behalf and the fact that she is a first time offender. In accordance with *Article 14(6) of the 1992 Constitution*, time spent in custody is considered. However, given that the 1st accused person is not pregnant per the results of the pregnancy test upon the order of the Court on same; and also to serve as deterrent to the 1st accused person and others in the community that the Courts do not countenance such fraudulent actions, the Court hereby imposes the following sentence on the 1st accused person:

Count 2: The 1st accused person is sentenced to a term of imprisonment of seven (7) years in hard labour.

Count 3: The 1st accused person is sentenced to a term of imprisonment of three (3) years in hard labour.

Count 4: The 1st accused person is sentenced to a term of imprisonment of four (4) years in hard labour.

All the sentences shall run concurrently.

Restitution Order

The 1st accused person in open court through the investigator has earlier paid an amount of GH¢5,000.00 to the complainants which was shared among them, being part payment of the amount of GH¢205,000.00 she fraudulently obtained from the complainants.

In accordance with *section 147B of the Criminal and Other Offences (Procedure) Act, 1960 (Act 30)*, the 1st accused person is ordered to refund the remaining amount of GH¢200,000.00 to the complainants herein being GH¢126,750.00 to the first complainant (Eric Asford Prah), GH¢42,000.00 to the second complainant (Benedicta Dzakpasu) and GH¢31,250.00 to the third complainant (Felicia Adom).

The complainants shall enforce this order through civil means.

**H/H AKOSUA A. ADJEPONG
(MRS)**

JUDGE)

(CIRCUIT COURT