

IN THE CIRCUIT COURT '10 OF GHANA, ACCRA, HELD THIS TUESDAY
THE 16TH DAY OF MAY, 2023 BEFORE HER HONOUR EVELYN E.
ASAMOAH (MRS)

CASE NO.

D5/09/2022

THE REPUBLIC

V.

SOLOMON AMOH

CHIEF INSPR BENNEH FOR THE REPUBLIC

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- It the case of prosecution that the accused submitted a letter of undertaking purportedly issued and signed by senior officers of his employee, Vanguard Assurance – as part of a loan pre-acquisition requirement. Accused was charged with offence of possessing forged documents contrary to section 166 of Act 29 (2 counts), uttering forged document – contrary to section 169 of Act 29 (2 counts) and the offence of section 131(1) of Act 29. The brief facts are as follows:
- Complainant Emmanuel Gyamfi is a Financial Crime Investigations Manager at Fidelity Bank Ghana Limited whiles Accused Solomon Amoh is a former Marketing Officer at Vanguard Assurance Company Limited. During the month of May, 2021, the accused person who is the holder of Fidelity Bank Account no. 1035491920510 applied for a personal loan of GH¢68,000.00 on agreement for same to be deducted monthly on his Vanguard Assurance salaries. As part of the loan pre-acquisition requirements, the accused

submitted a letter of Undertaking purported to have been signed and issued by Kwame Owusu Boakye, a former Head of Human Resources Department of Vanguard Assurance Ghana Limited. In addition, the accused presented to the bank an approval company/organization signatory list purported to have been signed and issued by Kwame Owusu Boakye, Manager, Human Resources and Administration, Andrew Comey, Audit Department, Samuel Awortwe, Finance to facilitate the processing of the loan. The bank as part of its verification called 0312320244 a registered Vanguard Assurance contact number which was quoted against Kwame Owusu Boakye on the approved company/organization signatory list and the one who picked confirmed the documents as authentic. Hence the bank approved and disbursed the loan into the accused person's account. During the month of November, 2021, the above named signatories denied any knowledge about the signing and issuance of the approved company/organization signatory list as well as Letter of Undertaking when they were contact by the bank on a different Loan Application. During investigations accused person admitted to the commission of the crime and also confessed he picked the call from the Bank and confirmed the genuineness of the above-mentioned documents submitted for the procession of his loan. Accused person paid GH¢5,000.00 and was charged arraigned before this Honorable Court.

- According to the 1st prosecution witness, the account management of Vanguard Assurance Company Limited, on 22nd December, 2021, his attention was drawn to the fact that he had approved a loan request for the accused who was then a staff at the Tarkwa branch. After perusing the documents, he realized that his name was wrongly spelt, his position was changed from account manager to Audit manager and the signature attached to his name was not his. That he has not approved a loan request from Fidelity bank for the accused. The accused in

his caution statement admitted that he forged the signatures of the complainants. He stated:

“... I took a letter head from the office and went to a nearby café. I typed (everything) the letter of undertaking and approved company/organization signatures ...”

Section 174(1) of Act 30 provides:

“... At the close of evidence in support of the charge, if it appears to the court that a case is made out against the accused sufficiently to require the accused to make a defence, the court shall call on the accused to make a defence...”

- It's the considered view of the court that a case is made up against the accused. He is called upon to open his defence.

**H/H EVELYN E. ASAMOAH (MRS)
CIRCUIT COURT JUDGE**