

**IN THE CIRCUIT COURT '10 OF GHANA, ACCRA, HELD THIS MONDAY THE 11TH
DAY OF SEPTEMBER, 2023 BEFORE HER HONOUR EVELYN E. ASAMOAH (MRS)**

SUIT NO. D2/312/2018

THE REPUBLIC

VRS.

- 1. JOYCE SAFOWAA,**
- 2. FRANK KWESI OBENG**
- 3. B2 (AT LARGE)**

A.S.P EMMANUEL HALIGAH FOR PROSECUTION

WILLIAM AKASA HOLDING MR. CHRISTOPHER MEENU'S BRIEF

JUDGMENT

● The first and second accused persons, a married couple, were charged with the offence of conspiracy to steal contrary to section 23(1) of the Criminal and Other Offences Act 1960- Act 29. The first accused person (A1) was charged with the offence of stealing contrary to section 124(1) of Act 29. The second accused was charged with the offence of money laundering contrary to section 1(1) of the Anti-money Laundering Act 2008 (Act 749). The second (A2) and third accused were charged with the offence of abetment of crime contrary to section 20(1) of Act 29. The third accused person (A3) is at large. A1 and A2 pleaded not guilty to the charges.

● **Facts** - The prosecution presented the following facts: The complainant, Mavis Toffan is a businesswoman residing in Accra. She is the proprietress of MOVOBED Enterprise,

a dealer in children's clothes and baby accessories. She owns a big store at Okaishie and also has a warehouse where she keeps the bulk of her goods, located behind her store. The complainant usually imports goods from China but sometimes she takes deliveries from her colleague traders at Okaishie. A1, Joyce Safowaa, and A2, Frank Kwesi Obeng are lovers and they both reside in Accra. A1 was employed by the complainant as a salesperson in her shop and had been working with the complainant for the past 13 years. A1 gained the trust and confidence of the complainant to the extent that whenever the complainant travels on a business trip to China, she entrusts both the store and warehouse together with their respective keys in her care. A1 is also responsible for the collection of goods from the warehouse to the store. In the course of their love relationship in the year 2013, A2 hatched an idea and convinced A1 to steal from the complainant so that they could establish their own store and trade in the same business to which A1 agreed. Pursuant to this agreement, A2 rented a store at Weija to put their plan to fruition. Since A1 was the custodian of keys to the complainant's store and the warehouse, it was easy for her to have access to the goods which she stole with the connivance of A2 and use same to fill their shop at Weija without the consent of the complainant. Anytime the complainant was absent from the store, A1 quickly packed quantities of goods from the store and warehouse and gave same to a head porter only known as B2, who carried them to A2 in a waiting BMW saloon car at Rawlings Park. A2 then drives the stolen goods straight into their shop at Weija. This act continued until the two accused persons filled their shop at Weija to the maximum. Whenever they have a shortage in their shop, the accused persons used the same modus to siphon the complainant's goods to fill their shop.

The complainant's goods became the main source of supply in refilling the store of the accused persons. Sometimes, A1 orders goods in the name of the complainant but diverts same into their store at Weija. After operating the store at Weija for some time, A2

suggested to A1 that the business was not flourishing as he expected and wanted it to be moved to the Kasoa store. During the year 2015, A2 used part of the proceeds realized from the sale of the complainant's goods to rent another store at Kasoa at a cost of GH¢45,000.00 for nine years. The accused persons closed the Weija shop and transferred the goods to the Kasoa store. Both accused persons continued using the same modus to fill their store at Kasoa with goods stolen from the complainant.

A2 again used part of the proceeds to buy a Toyota Venza vehicle with registration number GX 1061-14 at a cost of GH¢45,000.00 to facilitate easy carting of the stolen goods. A2 also used part of the monies realized to purchase a plot of land at McCarthy Hill at a cost of GH¢10,500.00. The complainant could not detect the theft until in the year 2016 when she realized that her business was running into debt and the profit margin was rapidly declining. In January 2018, the complainant began her own investigations to find out the cause of the declining profit margin and also to know why she was running into debt. The complainant became alarmed and quickly took stock of the goods in the warehouse and the store and realized that she was indebted to the tune of GH¢600,000.00. The complainant highly suspected A1 to have been the one behind her business retrogression and hence made a report to the police and A1 and A2 were arrested. During the investigation, A1 and A2 admitted having stolen assorted goods from the complainant's store and warehouse on several occasions to fill their shops at Weija and Kasoa. Police investigation revealed that A2 acquired the two shops at Weija and Kasoa, the Toyota Venza car, and the plot of land at McCarthy Hill with proceeds from goods stolen from the complainant. In the course of the investigation, the Toyota Venza car was retrieved. The accused persons later led police to their store at Kasoa where the complainant identified all the goods in the shop as hers worth GH¢80,000.00. Some of the goods bore the name and inscription of the complainant. The complainant thereafter produced receipts to buttress her claim but the accused persons could not. An inventory

was taken of the goods retrieved from the accused persons' store at Kasoa in the presence of the accused persons after which a comprehensive audit was conducted. The audit report revealed that between the years 2013 to 2018, A1 stole goods valued GH¢712,229.00. After thorough investigations, the accused persons were charged with the offences and arraigned before this honourable court.

● **Legal Burden-** The accused persons pleaded not guilty to the charges. The prosecution bore the burden to prove its case beyond reasonable doubt.

In the case of **Ekow Russel V. The Republic No: J3/5/2014 dated 13th July 2016** Justice **Akamba** stated:

“The strength of our criminal justice system over the years has not thrived on mere wishes and speculation but by the production of evidence that meets the standard of proof of crime in a court of justice. Without the necessary evidence, presented in accordance with the rules of law, all the prior efforts made in arresting a suspect would be brought to nought.”

Effah and Another Vs The Republic (Court Of Appeal, Accra) (1999-2000) 2 GLR 722.
Justice **Amonoo-Monney JA** stated:

The act of an abettor must precede, or be contemporaneous with, the crime abetted and the abettor must know some essential facts constituting the crime. In the Nigerian case of *Enweonge v R* [1955] 15 WACA 1, Coussey JA, delivering the judgment of the court, said at 3

“... where an offence is committed every person who aids another person in committing the offence is deemed to have taken part in committing the offence and to be guilty of the offence and may be charged with actually committing it. . . We are of the opinion that to bring a person within this section there must be clear evidence that either prior to, or at the time of, the commission of the act the appellant did something to facilitate the commission of the offence.”

... section 125 of Act 29 provides that “A person steals if he dishonestly appropriates a thing of which he is not the owner.” This provision was explained by the full bench of the Court of Appeal in the case of Republic v Halm and Ayeh-Kumi Court of Appeal, 7 August 1969, unreported; digested in [1969] CC 155, as stated in the headnote, holding (1) thus:

“(1) The preliminary relationship for consideration in a charge of stealing is not so much a relationship between the person charged and some other, identified as owner, as a relationship between the person charged and the thing alleged stolen... For the offence of stealing to be constituted, therefore, the relations, act, and intention to be proved in connection with ‘the thing’ are: (i) that the person charged must not be the owner of it; (ii) that he must have appropriated it; and (iii) that the appropriation must have been dishonest.”

• **Prosecution Witnesses-** The prosecution called eight (8) witnesses. The first prosecution witness, the complainant herein, testified that there was persistent decline in her business and she detected shortages in her business, since 2013. That the business was running into serious debt. In January 2018, she became awakened and alarmed when her creditors started calling and consistently demanding money from her. She further stated in paragraph 39 of her witness statement that she tried to investigate so she called her suppliers to verify the issues where it came to light that several transactions happened on her blind side and that goods taken in her name on credit ended up in another shop not hers nor her warehouse.

Upon the arrest of A1, A1 revealed that she personally took the goods secretly from her shop to her newly opened shop at Weija. A1 further confirmed that A3 carried the goods to A2 in a waiting car at Rawlings Park, who conveyed them to her shop. A1 further revealed that the proceeds from the sale of the goods dishonestly appropriated were used to acquire a Toyota Venza saloon car with registration number GX 1061-14, a plot of land

at Tetegu, and a shop at Bojuase Kasoa. Based on this revelation, A1 led police to their shop located at Kasao, operating under the business name Royal Mother Care. At the shop, she was shocked to identify all the products in stock as hers. PW2 and PW3 indicated that A1 had spare keys to the warehouse of the complainant and she engaged A3 to park goods from the warehouse but the goods were not brought to the shop. PW5, Azara Alhassan, a head porter, in her testimony, asserted that upon instructions from A1, she carried goods to A2 at Rawlings Park and that A1 and A2 warned her never to disclose that to anyone, not even the complainant.

- The police investigator in this case, PW8, contended that during investigations, the accused persons were asked to produce evidence of receipts and documents covering the stock of goods in their shop but they were unable to do so. He indicated that the two shops operated by the accused at Weija and Kasoa were acquired with proceeds of goods stolen from the complainant and that it was also established that the Toyota Venza car with registration number GX 1061-14 bought from Madam Eugenia Duff by A2 was acquired from proceeds realized from the sale of goods stolen from the complainant. He added that the impression that Mr. Ofori (DW1) bought the vehicle from Madam Eugenia Duff Huwornu is not true and a calculated story by Mark Ofori to throw dust into the eyes of the court.

- The court, after close of the case of the prosecution, called upon the accused persons to open their defence.

In the case of **Tetteh Samadzi Vs. The Republic** [Supreme Court, Accra] Civil Appeal No. J3/1/2016 dated 6th April, 2017- Justice Pwamang JSC stated:

"...but in such a situation the law demands that before deciding to convict the accused person the court is required to consider his defence with care to see if it

creates a reasonable doubt as to his guilt. In *Lutterodt v Commissioner of Police* [1963] 2 GLR 429 the Supreme Court through Ollennu JSC stated at page 440 as follows;

Where the determination of a case depends upon facts and the court forms the opinion that a prima facie case has been made, the court should proceed to examine the case for the defence in three stages:

- (1) Firstly it should consider whether the explanation of the defence is acceptable, if it is, that provides complete answer, and the court should acquit the defendant;*
- (2) If the court should find itself unable to accept, or if it should consider the explanation to be not true, it should then proceed to consider whether the explanation is nevertheless reasonably probable, if it should find it to be, the court should acquit the defendant; and*
- (3) Finally quite apart from the defendant's explanation or the defence taken by itself, the court should consider the defence such as it is together with the whole case, i.e., prosecution and defence together, and be satisfied of the guilt of the defendant beyond reasonable doubt before it should convict, if not, it should acquit.'*

...The law as explained above required the court if it preferred the case of the prosecution witnesses against those of the appellant to go a step further and consider if the defence of the appellant was nevertheless reasonably probable..."

● **The First Accused Person (A1)**

A1 in her witness statement admitted that she was a formal employee of the complainant, from 2008-2018. A2 is her husband. She denied all the charges leveled against her. She pointed out that she worked with the complainant as the one in charge of restocking the shop. The complainant's business was virtually run on credit basis. A1 stated that goods were purchased on credit in her name most of the time and that she was in charge of the keys to the complainant's shop but not the storeroom. Four employees were working with the complainant with different responsibilities and she had no access to the

complainant's money. That she never conspired with the other accused to steal from the complainant.

According to A1, her husband- A2 established the mother care business with capital from his initial bag business, different loan facilities, personal savings, further contributions from her, and revenue from his BMW car to boost the business. Due to her years of experience, she was in charge of purchasing goods for the complainant, and that goods were purchased with physical cash. A1 contended that at no point in time was a caution statement taken from her by the investigator when she was arrested on 26th January 2018. On Saturday 27th January 2018, she was taken to A2's shop at Kasoa. The investigator directed her to sign a statement taken from the complainant and threatened to keep her in custody if she did not sign the statement. According to A1, she decided to sign so she could go home and take her medication.

- A1 in her caution statement dated 27th January 2018 (**Exhibit CA**) indicated that they stole from the complainant's shop. She stated:

"The complainant in this case is my Madam whom I have worked with for about thirteen years. Suspect Kwesi Obeng alias Frank is my boyfriend whom I am pregnant for... he brought an idea that we should establish our own mother care business that my madam is doing... so we went to rent a shop. After getting the shop, there was no money to buy goods to fill the shop. So Kwesi Obeng brought up the idea that we should steal from the complainant's warehouse and the shop to fill our store. I also agreed with his idea, it is easy for me to steal from the complainant's store because I control the affairs of the business and the warehouse keys and store keys are with me.... One day, it was in the afternoon and by then Kwesi Obeng was using his BMW car. He came to park at Rawlings Park and he called me. I quickly parked some quantities of goods from the shop and put them in a rubber bag called

Ecolack and I instructed a porter called B2 who has been assisting us in the store to send the goods to Kwesi Obeng at Rawlings Park.. two weeks after selling those ones, then Kwesi Obeng Obeng will come and take other goods to the Weiija store. We continued like that till when Kwesi Obeng had enough money...Through the Kasoa store business, Kwesi Obeng used some of the proceeds to buy a Toyota Venza car....he brought up the idea that we should steal goods from the complainant store again to fill the Kasoa store... At times, I felt guilty to do that but he managed to convince me. On several occasions, Kwesi Obeng will arrange with me and bring the Toyota Venza car to Rawlings Park then I will park goods from the store and warehouse... give them to B2 to send them to him... I have to state that is my boyfriend Kwesi Obeng who initiated the plan for me to steal the goods...I am pleading with her to forgive me. Almost all the goods in Kasoa shop are for the complainant..."

A1 in her caution statement gave a detailed account of their actions and their modus operandi. In her subsequent statements, taken on different dates, she relied on this caution statement. All her statements were taken in the presence of an independent witness. There is no evidence that the statement was taken involuntarily.

In the case of **Tetteh Samadzi Vs. The Republic** (Supra) Justice Anin Yeboah stated:

"...A caution statement of an accused person may go to his defence or incriminate him. It is trite learning that a defence however weak ought to be considered by the court. If a caution statement is admitted in evidence and raises any defence known to the law, the trial court is enjoined by law to consider it..."

- The facts in this case point out that, as one of her modus, A1 went for goods on credit in the name of the complainant and diverted same to her shop. She went for goods on credit from Ama Bediako in the name of the complainant but she took the goods to her shop, without the complainants' consent. Ama Bediako demanded her money from the complainant and that was when this scheme of the accused persons came to light. The

evidence further discloses that PW4 the head porter and others carried goods from the complainant's storeroom/ warehouse to the A2 at Rawlings Park as narrated by A1 in her caution statement. She failed to tender in evidence any valid receipt of items she allegedly purchased. The court finds that A1 dishonestly appropriated the complainant's goods.

- **The Second Accused (A2)**

The second accused in his witness statement averred that: he established the Weija shop at the cost of GHC 40,000, inclusive of the cost of the shop, the shelves, and the baby's assorted products. He later contacted Joseph Amuzu who rented the Kasoa shop to him at the cost of GHC45,000 for 9 years. That he later went for a loan of GHC 50,000 from Top Up Co-operate Credit Union. A1 also gave him her savings and they were able to raise GHC 85,000 to boost up the business at Kasoa. He gave A1 GHC 65,000 to purchase products for the shop. He added that the receipt books were forcibly taken away by the Police Investigator and he refused to exhibit the receipts in court. According to A2, he sold his BMW car to invest the proceeds in his business. That A1 also purchased some goods, worth GHC 5,200 on credit from Ama Bediako Owusu. The police investigator and other officers came to his shop and locked up the place. He alleged that he was forced to sign the inventory. According to him, the police officer seized Mark Ofori's Toyota Venza car which was in his mechanic shop. He sold the car to Mark Ofori because he owed him. He further alleged that he established his shop through hard work and acquired all the properties, including the half plot of land at Tetegu, BMW car, etc.

According to A2, all the caution statements and charge statements tendered in evidence are not his statements, and he was only asked by the Police Investigator to thumbprint the statements. However, during cross-examination, he stated: "I made those statements but not the February date that I gave to the investigator."

- **Shadowy Deal/Scheme -Kasoa Shop**

A2 in his caution statement further indicated that he acquired the shop at Kasoa for GHC 15,000 for 5 years. Pw6, the shop owner, explained to the court that the shop was leased to A2 at the cost of GHC 45,000 for nine years. PW6 averred that in January 2018, A2 called and told him to tell the police that he acquired the shop at GHC 15,000 and not GHC 45,000, and this was in a bid to conceal the source of his money. The accused persons in their witness statements claimed that they purchased all items in the shop with their own money. However, they failed to call any of their suppliers to testify in court.

Receipts -The receipt -*Exhibit 2* attached to the witness statement of A1 is not signed and dated. The total items allegedly purchased do not tally with the unit price stated, rendering it fictitious. Exhibit 1 is the same as Exhibit F36 which she submitted to her Madam for payment. The complainant tendered in evidence receipts, bill of lading, custom exercise declaration forms, consignment documents, GRA VAT & and NHIL invoices in respect of the items she purchased and imported to Ghana. The evidence discloses that A1 went for goods on credit in the name of the complainant and diverted the goods to her shop.

Loan - A2 claimed that he went for a loan and used the money to buy goods for the shop. He added that he was given a loan of GHC 50,000. However, it is stated on the writ of summons- Exhibit 11, that he was granted a loan facility of GHC 15,000 and there is no proof that he used the money to purchase the baby products retrieved from the shop.

Inventory- The inventory of the items taken from the Kasao shop was signed by the accused persons. The complainant identified her goods in the shop, some bearing her name- Mavis. The accused persons, identified only two items- baby rubber bowls and baby swing in the shop as theirs – out of about 363 items, affirming the facts that they dishonestly appropriated the complainant's goods.

BMW/ Venza Car.

A2 was charged with the offence of money laundering contrary to section 1(1) of the Anti-Money Laundering Act, 2008 (Act 749).

ANTI-MONEY LAUNDERING ACT, 2007 ACT 749

1. Money laundering

(1) A person commits an offence of money laundering if the person knows or ought to have known that property is or forms part of the proceeds of unlawful activity and the person

(a) converts, conceals, disguises or transfers the property;

(b) conceals or disguises the unlawful origin of the property; or

(c) acquires, uses or takes possession of the property.

1. Penalty for money laundering

A person who contravenes section 1 or 2 commits an offence and is liable on summary conviction to a fine of not more than five thousand penalty units or to a term of imprisonment of not less than twelve months and not more than ten years or to both.

In the case of **Edmund Addo V. The Republic** (2020) (CA) Court of Appeal • H2//2021

• 17 Feb 2020 • Ghana. - the court held:

“The law is that where an enactment is repealed, it would not affect an offence committed against the enactment that is repealed or revoked or a penalty or a forfeiture or punishment incurred in respect of that offence. The court cited the case of The Republic V. High Court, Accra Commercial Division Ex parte Environ solutions and 3 others- suit number J5/ 20/2019- Justice Dotse- JSC stated- it must be emphasized clearly that from the principle of interpretation of statute as well as case law, it is apparent that a repealed statute does not lose all its effect and operating provision simply because a new statute had been enacted...”

It is important to state that in this case, the alleged offence, which the court then had jurisdiction, was committed before Act 749 was repealed.

- It is the case of the prosecution that the A2 used the proceeds of the crime to purchase a Toyota Venza car. However, A2 alleges that the car does not belong to him and that it belongs to Mark Ofori (DW1). Exhibit V, tendered by the prosecution, is a financial agreement dated 10 November 2017 between Mark Ofori (DW1) and A2.

Paragraph 3 of the agreement states: *“That for security purposes, 2nd party has lodged his ONE TOYOTA VENCER bearing Reg. No. GX 1061-14 with chassis No. 4t32ZK11AI9U007305 with Mark Ofori until the money is refunded.”*

A2 described as the 2nd party, owner of the vehicle, acknowledged receipt of GHC 35,000 from Mark Ofori. He used his Toyota Venza car as collateral. A2’s testimony, during cross-examination by the prosecution, that “Even though Mark Ofori had bought it, I was going to buy it from him.” cannot be true. The car belongs to A2 and there is no proof that Mark Ofori ever bought the car. The previous owner of the car, Ms. Eugenia Duff-Kuwornu, DW2, averred that the Toyota Car was sold to the A2.

Mark Ofori, during cross-examination, averred that A2 was the first person to buy the car and that A2 only approached him for financial assistance. He added that he gave A2 an amount of GHC 45,000. This amount contrary to the amount stated in the agreement-Exhibit V. In another breath, Mark Ofori stated that he purchased the vehicle at the cost of GHC 45,000. He also gave an amount of GHC 10,000 to A2 to pay the remaining balance in respect of the car. His evidence was inconsistent.

Moreover, the financial agreement was purportedly executed between A2 and Mark Ofori on 10th November 2017. Paragraph 5 of Exhibit V states that Mark Ofori could dispose of the car if A2 failed to pay the debt by 28th February 2018. However, Form C-change of ownership indicates that the vehicle was sold and transferred to the name of Mark Ofori on 8th November 2017 – before the purported agreement (Exhibit V) was executed.

Mark Ofori in 2018, sued the Inspector General of Police, Attorney General, and two others at the High Court (Exhibit 13). He filed a motion for the release of the Toyota Venza car. In his affidavit in support of the motion, he contended that he bought the car from Eugenia Duff-Kuwornu in November 2017.

A2 could not lead evidence to establish that the BMW belonged to him and that he sold it and invested the proceeds in the said business. Inconsistencies in the testimony of Mark Ofori and A2 reveal the vehicle belongs to A2 and these documents were fraudulently procured to conceal ownership of the vehicle. They could not provide any evidence to establish the source of the said money or their income. The court finds that the accused persons A1 and A2 conspired to steal and they indeed appropriated the complainant's property. They are hereby convicted of the offences.

Sentence:

The property acquired at Kasao and the Toyota car form part of the proceeds from the unlawful activities of the accused.

Section 146 of the *Criminal and Other (Procedure) Act 1960*- Act 30 provides:

145. Restitution of property found on person arrested

Where, on the arrest of a person charged with an offence, property is taken from that person, the Court before which that person is charged may order that the property or a part of the property be restored to the person who appears to the Court to be entitled to the property, and, where that person is the person charged, that it be restored to that person or to any other person the Court may direct, or that it be applied to the payment of the compensation directed to be paid by the person charged

Section 146 of Act 30 - Restitution of property stolen

Where a person is convicted of having stolen or having obtained property fraudulently or by false pretences, the Court convicting that person may order that the property or a part of the property be restored to the person who appears to the Court to be entitled to it.

Plea in Mitigation

Counsel – A1 and A2 are 1st time offenders. We pray the court to show mercy.

Q: Are they known?

A: No

Sentence

Mr. Daniel Korang in his book titled – Criminal Prosecution in Ghana – practice and Procedure at 606 stated.

“The counts may also consider the circumstances surrounding the commission of the crime in imposing sentence on the accused. Where the offence seems to have been committed on the spur of the moment, the court may consider it as a mitigating factor. On the other hand, where the crime was pre-arranged, premeditated, and expertly executed, that goes to enhance the sentence. Where the accused appears to be a professional or an expert in that crime for which he is charged, he may receive a harsher sentence”.

In **Frimpong @ Iboman vs The Republic (2012) I SCGLR 297**, it was held that:

“...The appellant ... actually planned and swiftly executed the robbery agenda successfully. As a matter of fact, the ease with which the robbery was executed gives the impression that the gang must have been experts at the criminal conduct...”

The accused who plays a major role in the commission of the crime should receive harsher punishment and the accused who plays a minor role should receive lesser punishment. The accused who is regarded as the “architect” of the joint criminal venture must be punished harsher than the other.

Justice Taylor also stated in **Dabla and Others vs The Republic**

"...imposing sentences on persons convicted, the sentences should reflect the role which each person played, if one person's role is minor and the other is say, the architect, then the sentences should reflect these roles, the architect as a general role receiving more than the one who played a minor role..."

In this case, the accused persons premediated and skillfully expected the crime. They secretly carted goods for a long period and filled their shops with the complainant's goods. They used proceeds to acquire properties – land, car, shops, and others. The facts disclose that A2 was the architect – he masterminded the crime and played a major role in the commission of the offence. The accused persons did not show any remorse. In the circumstance, the accused persons are sentenced as follows:

Count 1 – Conspiracy - A1 is sentenced to 10 years with hard labour.

A2 is sentenced to 15 years with hard labour.

Count 2 – Stealing - A1 is sentenced to 10 years with hard labour.

Count 3 - Abetment - A2 is sentenced to 15 years with hard labour.

Money laundering - A2 is sentenced to 10 years with hard labour.

Sentence to run concurrently

Restitution

Section 146 of Act 30 provides:

Where, on the arrest of a person charged with an offence, property is taken from that person, the court before which that person is charged may order that the property or part of the property be restored to the person who appears to the court to be entitled to the property and where that person is the person charged, that it is applied in payment of the compensation directed to be paid by the person charged. Section 146 of Act 30 states, where a person is convicted of having stolen or having obtained property fraudulently or by false representations, the court convicting that person may order that the property or part of the property be restored to the person who appears to the court to be entitled to it. In this case, the landed property acquired the Toyota Venza car were acquired with

proceeds of crime/unlawful activities of the accused person. The baby products listed retrieved from the shop should be released to the complainant. The accused are ordered to pay the total amount GH¢712,229.00 to the complainant.

(SGD)

H/H EVELYN E. ASAMOAH (MRS)

CIRCUIT COURT JUDGE