

IN THE FEDERAL HIGH COURT  
IN THE LAGOS JUDICIAL DIVISION  
HOLDEN AT LAGOS

SUIT/NO.

FHC/LCS/17/2/24

IN THE MATTER OF AN APPLICATION BY  
ADEDYOIN ADEWOYE

AND

IN THE MATTER OF THE FUNDAMENTAL RIGHTS (ENFORCEMENT  
PROCEDURE) RULES, 2009 MADE BY THE CHIEF JUSTICE OF NIGERIA PURSUANT  
TO SECTION 46(3) OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC  
OF NIGERIA (AS AMENDED).

BETWEEN

ADEDYOIN ADEWOYE

FHC/LCS/17/2/24

APPLICANT

AND

1. INSPECTOR GENERAL OF POLICE
2. SHAIBU ABDULFATAI
3. CHINEDU OKO  
(COMMISSIONER OF POLICE, ALAGBON)
4. TERRY EKANEM
5. MULTI GLOBAL VISA ULTIMATE LIMITED
6. ANUOLUWAPO ELIZABETH BABALOLA

RESPONDENTS

ORIGINATING MOTION ON NOTICE BROUGHT PURSUANT TO SECTION 35 OF THE  
1999 CONSTITUTION AS AMENDED; ORDER II RULES 2, 3 AND 4 OF THE  
FUNDAMENTAL RIGHTS (ENFORCEMENT PROCEDURE) RULES 2009; AND UNDER  
THE INHERENT JURISDICTION OF THE HONOURABLE COURT

TAKE NOTICE that this Honourable Court will be moved on the ..... day  
of..... 2024 at the hour of 9 O'clock in the forenoon or so soon thereafter as  
counsel can be heard on behalf of the Applicant for:

1. A DECLARATION that the purported invitation dated September 18, 2024 sent via  
WhatsApp to the Applicant, through telephone Number 08034514124, showing the 2<sup>nd</sup>

Respondent, at the behest of the 4<sup>th</sup> and 5<sup>th</sup> Respondents, is null and void and constitutes a violation or threatened violation of the Applicant's fundamental rights guaranteed by Section 35 (1), (2), (3) and (4) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria 2004.

2. **A DECLARATION** that the Invitation Letter dated September 18, 2024 sent via Whatapp to the Applicant via telephone Number 08034514124, showing the 2<sup>nd</sup> Respondent, at the behest of the 4<sup>th</sup> and 5<sup>th</sup> Respondents, without a copy or detail of the petition to which it allegedly relates and without the name and the designation of the police officer sending the invite constitutes a violation or threatened violation of the Applicant's fundamental rights guaranteed by Section 35 (2) (3) and 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria 2004.
3. **A DECLARATION** that the action of the 1<sup>st</sup> -3<sup>rd</sup> Respondents in threatening to compel the Applicant to attend a police invite which was not properly addressed or clarified and through a person who failed to identify himself and rank in the police force constitutes a violation or threatened violation of the Applicant's fundamental rights guaranteed by Section 35 (2) (3) and 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria 2004
4. **A DECLARATION** that the actions of the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents in threatening, harassing, and intimidating the Applicant and further using the 1<sup>st</sup>-3<sup>rd</sup> Respondents to unlawfully threaten to harass, intimidate, arrest and detain the Applicant in respect of an issue which is a subject of investigation by the Lagos State Domestic and Sexual Violence Agency and the Commissioner of Police, Lagos State is unlawful, unjustifiable, illegal and unconstitutional having regard to the facts and circumstances of this case.
5. **AN ORDER of PERPETUAL INJUNCTION** restraining the Respondents, whether by themselves or their privies, officers, agents, principals or representatives, from further harassing, intimidating, inviting and/or attempting to further harass, intimidate, invite, interrogate, question, arrest and/or detain the Applicant at the behest of the 4<sup>th</sup> and 5<sup>th</sup> Respondents, in connection with the subject of investigation by the Lagos State Domestic and Sexual Violence Agency and the Commissioner of Police, Lagos State.
6. **AN ORDER of PERPETUAL INJUNCTION** restraining the 4<sup>th</sup> and 5<sup>th</sup> Respondents, whether by themselves or their privies, agents, principals or representatives, from using the 1<sup>st</sup>-3<sup>rd</sup> Respondents or their privies, officers, agents, principals or representatives and/or any other law enforcement agency whatsoever and howsoever in whatsoever name called to intimidate, invite, interrogate, question, arrest and/or detain and/or further intimidate, invite, interrogate, question, arrest and/or detain the Applicants in connection with the subject of investigation by the Lagos State Domestic and Sexual Violence Agency and the Commissioner of Police, Lagos State.

7. **AN ORDER** mandating the 4<sup>th</sup> Respondent to honour the invitation of the Commissioner of Police, Lagos State, to answer to the Applicant's complaint of sexual assault and rape and to ventilate whatever grievance he may have through the same office of the Police Force.
8. The sum of N100,000,000.00 (Hundred Million Naira) as general damages against the Respondent s jointly and severally.
9. **AND FOR SUCH FURTHEROR OTHERORDERS** as this Honourable Court may deem fit and/or necessary to make in the circumstances of this Suit.

**AND TAKE FURTHER NOTICE** that at the hearing of this Originating Motion, the Applicant shall rely and found upon all the process documents filed by the Applicant hereof before this Honourable Court.

#### **GROUNDS FOR THIS APPLICATION**

1. The Applicant had approached the Lagos State Domestic and Sexual Violence Agency (LSDSVA) to complain of sexual assault and rape against the 4<sup>th</sup> Respondent who referred the matter to the Commissioner of Police, Lagos State in a referral letter dated the 31<sup>st</sup> day of July 2024.
2. The 4<sup>th</sup> Respondent has been invited by the police on several occasions for the purpose of carrying out investigation on the allegations but he has vehemently refused to honour the invitation of the police on the excuse that he has been out of the country.
3. The Applicant had also sent an official letter of demand to the 4<sup>th</sup> and 5<sup>th</sup> Respondent s dated 9<sup>th</sup> September 2024 at his office address. Upon receipt of the said letter, the 4<sup>th</sup> Respondent's secretary M.s Anuoluwapo Elizabeth Babalola issued threats to the Applicant counsel's litigation clerk stating how the Applicant would be dealt with as she feels she knows it all.
4. Rather than responding to the letter, the 4<sup>th</sup> Respondent sent various voice notes with threats in a bid to dissuade the Applicant from going further with her complaints an demands. The Applicant's counsel replied to the voice notes via the letter 17<sup>th</sup> September, 2024.
5. Rather than responding to police invitation and the Applicant's counsel letter, the 4<sup>th</sup> and 5<sup>th</sup> Respondents have resorted to the threat to use the 1<sup>st</sup> -3<sup>rd</sup> Respondents to arrest, detain and deal with the Applicant for daring to complain about the actions of the 4<sup>th</sup> Respondent.
6. The Applicant was sent a purported police invite via a whatsapp message on the 18<sup>th</sup> of September 2024 by a number which failed to identify the officer. Truecaller however shows that the officer was Shaibu Abdulfatai, the 2<sup>nd</sup> Respondent.
7. The Applicant was not given a properly signed invite with the designation of the police officer who authorized the invite and when requested for proper description for security purposes, she was threatened by the 2<sup>nd</sup> Respondent.

8. The conduct of the 4<sup>th</sup> and 5<sup>th</sup> Respondents in intimidating, and harassing and enlisting the 1<sup>st</sup>-3<sup>rd</sup> Respondents to threaten the Applicant constitute a severe breach or likelihood of breach of the Applicants' rights to liberty, freedom of movement and fair hearing as guaranteed by the sections 35 and 36 of the 1999 Constitution of the Federal Republic of Nigeria and Article 6 of the African Charter on Human and Peoples' Rights.
9. The purported petition upon which the Respondents are acting to intimidate, harass, threaten arrest and detention of the Applicant is malicious and predicated on falsehood, a fact which is known or ought reasonably to be known by the Respondents.
10. The Applicant's mental health has been deeply affected as a result of the constant intimidation and harassment by the Respondents. It will be in the interest of justice for this Honourable Court to expeditiously intervene in order to protect the Applicant's fundamental rights in accordance with the Fundamental Rights (Enforcement Procedure) Rules, 2009.

Dated this 23<sup>rd</sup> Day of 09<sup>th</sup> 2024



Elvis E. Asia ✓

BOLS ATTORNEYS & SOLICITORS

Applicant's Counsel

6b, Olabanji Olajide Street

Off Adewunmi Adebimpe Drive

Lekki Phase 1, Lagos

08069506030, 08038513474

[mail@bolsattorneys.com](mailto:mail@bolsattorneys.com)

[www.bolsattorneys.com](http://www.bolsattorneys.com)

FOR SERVICE ON:

1. 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents  
The Nigerian Police Force  
Force Criminal Investigation Department Annex  
Alagbon Close, Ikoyi - Lagos
2. 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents  
Valley view plaza, 99 Opebi Road  
Opebi, Allen, Ikeja  
Lagos



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**BETWEEN**

**ADEDYOIN ADEWOYE**

**APPLICANT**

**AND**

1. INSPECTOR GENERAL OF POLICE
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6. ANUOLUWAPO ELIZABETH BABALOLA

**RESPONDENTS**

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

**NAMES, PARTICULARS AND ADDRESS OF THE APPLICANTS**

1. The Applicant is an office employee. The Applicant's address is located at No 6B Olabanji Olajide Street Lekki Phase 1, Lagos state.

**2. RELIEFS SOUGHT**

The reliefs sought by the Applicant in this action are set out hereunder:

- a. **A DECLARATION** that the purported invitation dated September 18, 2024 sent via WhatsApp to the Applicant, through telephone Number 08034514124, showing the 2<sup>nd</sup> Respondent, at the behest of the 4<sup>th</sup> and 5<sup>th</sup> Respondents is null and void and constitutes a violation or threatened violation of the Applicant's fundamental rights guaranteed by Section 35 (1), (2), (3) and (4) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria 2004.
- b. **A DECLARATION** that the Invitation Letter dated September 18, 2024 sent via Whatapp to the Applicant via telephone Number 08034514124, showing the 2<sup>nd</sup> Respondent, at the behest of the 4<sup>th</sup> and 5<sup>th</sup> Respondents, without a copy or detail of the petition to which it allegedly relates and without the name and the designation of the police officer sending the invite constitutes a violation or threatened violation of the Applicant's fundamental rights guaranteed by Section 35 (2) (3) and 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria 2004.
- c. **A DECLARATION** that the action of the 1<sup>st</sup> -3<sup>rd</sup> Respondents in threatening to compel the Applicant to attend a police invite which was not properly addressed or clarified and through an a person who failed to identify himself and rank in the police force constitutes a violation or threatened violation of the Applicant's fundamental rights guaranteed by Section 35 (2) (3) and 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria 2004.
- d. **A DECLARATION** that the actions of the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents in threatening, harassing, and intimidating the Applicant and further using the 1<sup>st</sup>-3<sup>rd</sup> Respondents to unlawfully threaten to harass, intimidate, arrest and detain the Applicant in respect of an issue which is a subject of investigation by the Lagos State Domestic and Sexual Violence Agency and the Commissioner of Police, Lagos State is unlawful, unjustifiable, illegal and unconstitutional having regard to the facts and circumstances of this case.
- e. **AN ORDER of PERPETUAL INJUNCTION** restraining the Respondents, whether by themselves or their privies, officers, agents, principals or representatives, from further harassing, intimidating, inviting and/or attempting to further harass, intimidate, invite, interrogate, question, arrest and/or detain the Applicant at the behest of the 4<sup>th</sup> and 5<sup>th</sup> Respondents, in connection with the subject of investigation by the Lagos State Domestic and Sexual Violence Agency and the Commissioner of Police, Lagos State.

- f. **AN ORDER of PERPETUAL INJUNCTION** restraining the 4<sup>th</sup> and 5<sup>th</sup> Respondents, whether by themselves or their privies, agents, principals or representatives, from using the 1<sup>st</sup>-3<sup>rd</sup> Respondents or their privies, officers, agents, principals or representatives and/or any other law enforcement agency whatsoever and howsoever in whatsoever name called to intimidate, invite, interrogate, question, arrest and/or detain and/or further intimidate, invite, interrogate, question, arrest and/or detain the Applicants in connection with the subject of investigation by the Lagos State Domestic and Sexual Violence Agency and the Commissioner of Police, Lagos State.
- g. **AN ORDER** mandating the 4<sup>th</sup> Respondent to honour the invitation of the Commissioner of Police, Lagos State, to answer to the Applicant's complaint of sexual assault and rape and to ventilate whatever grievance he may have through the same office of the Police Force.
- h. The sum of N100,000,000.00 (Hundred Million Naira) as general damages against the Respondent s jointly and severally.
- i. **AND FOR SUCH FURTHEROR OTHER ORDERS** as this Honourable Court may deem fit and/or necessary to make in the circumstances of this Suit.

**3. GROUNDS UPON WHICH THE RELIEFS ARE SOUGHT**

- a) The Applicant had approach the domestic agency to complain of a crime The Applicant had approached the Lagos State Domestic and Sexual Violence Agency (LSDSVA) to complain of sexual assault and rape against the 4<sup>th</sup> Respondent who referred the matter to the Commissioner of Police, Lagos State in a referral letter dated the 31<sup>st</sup> day of July 2024.
- b) The 4<sup>th</sup> Respondent has been invited by the police on several occasions for the purpose of carrying out investigation on the allegations but he has vehemently refused to honour the invitation of the police on the excuse that he has been out of the country.
- c) The Applicant had also sent an official letter of demand to the 4<sup>th</sup> and 5<sup>th</sup> Respondent s dated 9<sup>th</sup> September 2024 at his office address. Upon receipt of the said letter, the 4<sup>th</sup> Respondent's secretary M.s Anuoluwapo Elizabeth Babalola issued threats to the Applicant counsel's litigation clerk stating how the Applicant would be dealt with as she feels she knows it all.
- d) Rather than responding to the letter, the 4<sup>th</sup> Respondent sent various voicenotes with threats in a bid to dissuade the Applicant from going further with her complaints an demands. The Applicant's counsel replied to the voice notes via the letter 17<sup>th</sup> September, 2024.

- e) Rather than responding to police invitation and the Applicant's counsel letter, the 4<sup>th</sup> and 5<sup>th</sup> Respondents have resorted to the threat to use the 1<sup>st</sup> -3<sup>rd</sup> Respondents to arrest, detain and deal with the Applicant for daring to complain about the actions of the 4<sup>th</sup> Respondent.
- f) The Applicant was sent a purported police invite via a whatsapp message on the 18<sup>th</sup> of September 2024 by a number which failed to identify the officer. Truecaller however shows that the officer was Shaibu Abdulfatai, the 2<sup>nd</sup> Respondent.
- g) The Applicant was not given a properly signed invite with the designation of the police officer who authorized the invite and when she requested for a proper description for security purposes, she was threatened by the 2<sup>nd</sup> Respondent.
- h) The conduct of the 4<sup>th</sup> and 5<sup>th</sup> Respondents in intimidating, and harassing and enlisting the 1<sup>st</sup>-3<sup>rd</sup> Respondents to threaten the Applicant constitute a severe breach or likelihood of breach of the Applicants' rights to liberty, freedom of movement and fair hearing as guaranteed by the sections 35 and 36 of the 1999 Constitution of the Federal Republic of Nigeria and Article 6 of the African Charter on Human and Peoples' Rights.
- i) The purported petition upon which the Respondents are acting to intimidate, harass, threaten arrest and detention of the Applicant is malicious and predicated on falsehood, a fact which is known or ought reasonably to be known by the Respondents.
- j) The Applicant's mental health has been deeply affected as a result of the constant intimidation and harassment by the Respondents. It will be in the interest of justice for this Honourable Court to expeditiously intervene in order to protect the Applicant's fundamental rights in accordance with the Fundamental Rights (Enforcement Procedure) Rules, 2009.

Dated this <sup>23<sup>rd</sup></sup> Day of <sup>09</sup>..... 2024



Elvis E. Asia

BOLS ATTORNEYS & SOLICITORS

Applicants Counsel

6b, Olabanji Olajide Street

Off AdewunmiAdebimpe Drive

Lekki Phase 1, Lagos

08069506030, 08038513474





FOR SERVICE ON:

1. **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents**  
The Nigerian Police Force  
Force Criminal Investigation Department Annex  
Alagbon Close, Ikoyi - Lagos
  
2. **4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents**  
Valley view plaza, 99 Opebi Road  
Opebi, Allen, Ikeja  
Lagos

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RESPONDENTS

AFFIDAVIT IN SUPPORT OF MOTION ON NOTICE

I, Adedoyin Adewoye, Female, Nigerian of Plot 6B Olabanji Olajide Street, Lekki Scheme 1, Lagos, do hereby make oath and state as follows:

1. I am the Applicant herein, by virtue of which I am conversant with the facts deposed herein.
2. The facts deposed herein are facts within my knowledge which I surely believe to be true and correct.

3. The 1<sup>st</sup> Respondent is the Inspector General of Police, the head of the Nigeria Police Force under whose control are the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.
4. The 5<sup>th</sup> Respondent was my employer and the 4<sup>th</sup> Respondent, its Managing Director/CEO. The 6<sup>th</sup> Respondent is their secretary.
5. On 18<sup>th</sup> September, 2024 I received a WhatsApp Message purporting to invite me for investigation by the police at Alagbon. The invitation did not state the name and rank of the officer sending it but Truecaller, an app that identifies callers, however shows that the officer was Shaibu Abdulfatai, the 2<sup>nd</sup> Respondent.
6. The invitation letter also did not have the signature page and therefore, there was no way of knowing who signed the letter with a view to verifying its authenticity. As a result of this, I sent a response to the unknown person requesting identification and a complete letter that carries the legitimate signature of a recognized police officer.
7. Rather than responding to my legitimate enquiry, the 2<sup>nd</sup> Respondent (as I later found out) threatened me. He stated, amongst other things, that '...you want to tell me you know it all?' Attached herein and marked Exhibit A is a copy of the Whatsapp Correspondence between me and the 2<sup>nd</sup> Respondent.
8. The 2<sup>nd</sup> Respondent's statement as stated above, reminded me of the 4<sup>th</sup> and 5<sup>th</sup> Respondent's threat which was earlier issued to me. I immediately believed that the 4<sup>th</sup> Respondent must have employed the 2<sup>nd</sup> Respondent using the same language to describe me.
9. The threat described above is not unconnected with my case against the 4<sup>th</sup> Respondent and by extension, the 5<sup>th</sup> Respondent.
10. Sometime in July, 2024, I approached the Lagos State Domestic and Sexual Violence Agency (DSVA) to complain of sexual assault and rape against the 4<sup>th</sup> Respondent. The matter was subsequently referred to the Commissioner of Police, Lagos State in a referral letter dated the 31<sup>st</sup> day of July 2024. Attached herein and marked Exhibit B is a copy of the referral letter and the minutes thereon.
11. The 4<sup>th</sup> Respondent has been invited by the police on several occasions for the purpose of carrying out investigation on my complaint but he has vehemently refused to honour the invitation of the police on the excuse that he has been out of the country. As an untouchable Lord that he claims he is, rather than responding to the police, he has decided to use the same police to intimidate me by orchestrating the unlawful invitation described above.

13. As we continued to wait for the 4<sup>th</sup> Respondent to honour the invitation in respect of my complaint, my legal team advised that my complaints also gives me a right to make a civil claim. Hence, on 9<sup>th</sup> September 2024, my lawyers sent a demand to the 4<sup>th</sup> and 5<sup>th</sup> Respondents which are a legal condition for doing so. Upon receipt of the said letter, the 4<sup>th</sup> Respondent's secretary Ms Anuoluwapo Elizabeth Babalola issued threats my counsel's litigation clerk stating how the 4<sup>th</sup> Respondent would deal with me because I feel I 'know it all', the same refrain used by the 2<sup>nd</sup> Respondent. Attached herein and marked Exhibit C is a copy of the said letter, the content of which are reproduced and affirmed herein.
14. Rather than responding my counsel's letter, the 4<sup>th</sup> Respondent sent me various voice notes on 13<sup>th</sup> September, 2024 with implicit threats in a bid to dissuade me from going further with my complaints and demands.
15. In the said Voice Notes, the 4<sup>th</sup> Respondent acknowledged knowledge of my complaint and demand. He did not deny having sexual intercourse with me but falsely claimed that we were in a relationship and that he was in love with me. He also threatened that I had sent him nude photographs which he has and may disclose.
16. I immediately forwarded the Voice Notes to my counsel, who replied to them via the letter 17<sup>th</sup> September, 2024. In the said letter, I denied the false claim of love and challenged the 4<sup>th</sup> Respondent to disclose the purported nude photographs of me he claims he has. Attached herein and marked Exhibit D is a copy of the said letter, the content of which are reproduced and affirmed herein.
17. Rather than responding to police invitation and my demand, the 4<sup>th</sup> and 5<sup>th</sup> Respondents have resorted to the threat to use the 1<sup>st</sup> -3<sup>rd</sup> Respondents to arrest, detain and deal with me for daring to complain and share the experience I had with the 4<sup>th</sup> Respondent to the agency charged by Lagos State with the duty to investigate my complaints.
18. My mental health has been deeply affected as a result of the constant intimidation and harassment by the Respondents. My crime is that I dared to report my experience with the 4<sup>th</sup> Respondent to the appropriate authority for investigation and made demand in line with the civil procedure rules. The 4<sup>th</sup> Respondent has not even honoured the invitation of the Police investigating my case but the same Police is now being threatened to be used to intimidate me into oblivion and silence.
19. It has now dawned on me why victims fail to report incidents such as the experience I had with the 4<sup>th</sup> Respondent. This Honourable Court is my only hope against the brazen actions of the 4<sup>th</sup> Respondent.

19. It will be in the interest of justice for this Honourable Court to expeditiously intervene in order to protect my right to cry after being severely beaten and shattered against the 4<sup>th</sup> and 5<sup>th</sup> Respondent.

20. I depose to this Affidavit in good faith believing same to be true in accordance with the Oaths Act now in force.

DEPONENT

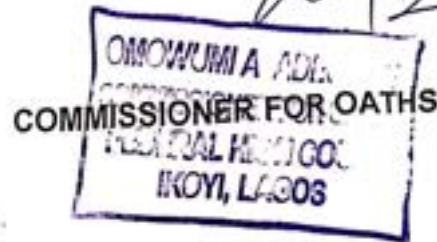
SWORN TO at the Federal High Court Registry

Lagos, this 23<sup>rd</sup> day of Sept, 2024.



BEFORE ME

My 23/9/24



IN THE FEDERAL HIGH COURT  
IN THE LAGOS JUDICIAL DIVISION  
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5. MULTI GLOBAL VISA ULTIMATE LIMITED
6. ANUOLUWAPO ELIZABETH BABALOLA

RESPONDENTS

WRITTEN ADDRESS IN SUPPORT OF ORIGINATING APPLICATION

1. INTRODUCTION

- 1.1 This Written Address is in support of the Applicant's Originating Motion ("Motion" or "Application") and brought pursuant to Sections 35, 36 and 46(1) of the Constitution of the Federal Republic of Nigeria, 1999 ("1999 Constitution") and Order II Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules, 2009 ("Fundamental Rights Rules"). In support of the application, the Applicants' had filed a Statement which was made in compliance to Order II Rule 3 of the Fundamental Rights Rules, 2009.

- 1.3 The application is supported by an 11 paragraphed Affidavit deposed to by the Applicant. We rely on the depositions contained in the said supporting Affidavit and the documents exhibited to same.

## 2. ISSUES FOR DETERMINATION

- 1.1 In our respectful view, the issue for determination by this Honourable Court, are:

Whether the Applicant's fundamental rights as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 ("1999 Constitution") has been wrongfully and unlawfully violated or threatened to be violated by the actions of the Respondents in the circumstances of this case?

## 3. ARGUMENTS

- 3.1 Section 46(1) provides that:

Any person who alleges that any of the provisions 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

- 3.2 The third limb of the above section gives the Applicant the right to move to the court to seek redress immediately she senses, as in the instant case, some moves on the part of the Respondents to contravene his fundamental rights. See **JATAU v. A.G., & C.J., KADUNA STATE & ANOR** (2021) LPELR-55758(CA).

- 3.3 In **EJEH v. ALI & ORS** (2022) LPELR-57593(CA), the Court of Appeal held:

"I have taken a closer look at the succinct provisions of Section 46(1) of the Constitution of Nigeria 1999 (as amended) and Order II Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules 2009, and immediately apparent to me from these provisions is the settled position of the law that, unlike in other civil actions in which the remedy is attached to the wrong done, in actions for enforcement of fundamental right as guaranteed in Chapter IV of the Constitution of Nigeria 1999 (as amended), which is the basic law of the land, a breach need not have occurred or taken place before an application can be commenced to secure the protection and or enforcement of the fundamental right of the citizen from being breached. **Thus, in fundamental rights enforcement, the mere likelihood of arrest would suffice to ground an action.** See Section 46 (1) of the Constitution of Nigeria 1999 (as amended). See also Order II Rule 1 of the Fundamental Rights (Enforcement Procedure) Rules 2009, and the African Charter on Human and Peoples' Right Ratification and Enforcement Act." Per BIOBELE ABRAHAM GEORGEWILL, JCA (Pp 54 - 55 Paras C - C)

In **OHANEDUM & ANOR v. C.O.P (IMO STATE) & ORS (2015) LPELR-24318(CA)**, it was held thus:

"Section 46(1) of the 1999 Constitution of Nigeria, as amended, says: "Any person who alleges that any of the provisions of this chapter has been, is being or is likely to be contravened in any State in relation to him may apply to High Court for redress. "Thus, apart from actual acts of violation of Sections 33 to 44 of the Constitution, which form the chapter 4 (Fundamental Rights) of the Constitution, the law allows a person who apprehends a likelihood of a breach of his said rights to apply for redress." Per ITA GEORGE MBABA, JCA (Pp 40 - 40 Paras B - D)

See also **RHODES & ANOR v. IGP & ORS (2018) LPELR-44118(CA)** and **NGEME v. IGP & ORS (2022) LPELR-59025(CA)**

- 3.4 The factual circumstances of this Application are captured in the Statement and the Affidavit in support of the Motion on Notice which are reproduced herein. The summary of the facts is that the 4<sup>th</sup> and 5<sup>th</sup> Respondent employed the services of the 1<sup>st</sup>-3<sup>rd</sup> Respondents as agents to silence the Applicant in respect of her complaints against the 4<sup>th</sup> Respondent and claim against the 4<sup>th</sup> and 5<sup>th</sup> Respondents. In doing so, the Respondents have demonstrated that they have no regards to due process of law. This can be seen from the various threats issued by the 4<sup>th</sup> and 5<sup>th</sup> Respondents and the 2<sup>nd</sup> Respondent as well as the manner in which the 1<sup>st</sup>-3<sup>rd</sup> Respondents have chosen to get the Applicant to Alagbon. The invitation was sent via a strange number by someone who refused to identify himself by his name and rank. The invitation itself did not reveal the signatory.
- 3.5 Furthermore, the 4<sup>th</sup> Respondent, who has refused to honour the invitation of the 1<sup>st</sup> Respondent in respect of the complaint made by the Applicant without any consequence, has turned around to use the same 1<sup>st</sup> Respondent to haunt the Applicant. The 4<sup>th</sup> Respondent had claimed he was out of the country but one wonders how he was able to adopt a petition to invite the Applicant in a surreptitious manner. If it is true that the 4<sup>th</sup> Respondent is not in the country, it means that he must have activated the 1<sup>st</sup>-3<sup>rd</sup> Respondent through a phone call without regards to the complaint made against him. This is further buttressed by the lack of particulars in the purported invitation letter and confirmation of the 4<sup>th</sup> Respondent's implied threats contained in the voice notes sent to the Applicant and express threats from his secretary.
- 3.6 We respectfully submit based on the facts contained in the affidavit in support of this application, the Applicant is deserving of the reliefs sought from this Honourable Court. We refer your Lordship to the eminent reasoning of Ariwoola JCA Igwe & Ors v. Ezeanochie & Ors (Supra) where he held thus:

"I make bold to say that 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. The 1st Applicants through their affidavits and Exhibit proved the infringement against the Respondent s”.

We urge your Lordship to so hold and grant the Applicant’s reliefs.

- 3.7 There are six exceptions to the afore-quoted general provision of section 35 of the Constitution and we respectfully submit that none of the exception applies to the circumstances of this case. Even if the exception in Section 35(1)(c) 1999 Constitution were to apply, *to wit*:

“for the purpose of bringing him before a court in execution of the order of a court or upon reasonable suspicion of his having committed a criminal offence, or to such extent as may be reasonably necessary to prevent his committing a criminal offence”

We respectfully submit that there was no justifiable basis or suspicion of the commission of a crime by the Applicant for the 4<sup>th</sup> and 5<sup>th</sup> Respondent to have maliciously set in motion a mechanism for the intimidation, harassment, and unlawful threatened arrest and detention of the Applicant.

- 3.8 We submit further that the burden or onus of justifying that the Respondents are acting upon a reasonable suspicion of the commission of an offence is on the Respondents. Instructive on this point is the authority of *Fajemirokun v. C.B (C.L) Nig Ltd* (2002) 10 NWLR (Pt.774)95 C.A where the Court of Appeal held that:

“Where there is evidence of arrest and detention of an 1st Applicant which were done or instigated by the Respondent in action for enforcement of fundamental rights application, it is for the Respondent to show that the arrest and detention were lawful. In other words, the onus is on the person who admits detention of another to prove that detention was lawful”

- 3.9 What redress option does the Applicant then have in the circumstance of this case. Section 46(1) of the 1999 Constitution is very explicit on the option open to the 1st Applicant. In *Uzoukwu V Ezeonu II (1991) 6 NWLR (pt.200) 708 at 761-762* Their Lordships in that case held that that the 1st Applicant only needs to prove, pursuant to Section 46(1) of the 1999 Constitution, that his fundamental rights under Chapter IV of the Constitution has been contravened or is likely to be contravened by the Respondents and he would be entitled to redress.

- 3.10 Flowing from the above cited judicial authorities we respectfully submit that the Applicant has placed relevant material before this honourable court to establish that his fundamental human right to liberty, privacy, fair hearing is likely to be severely infringed and we urge your Lordship to so hold. In so urging, we pray the Court to grant the Applicant’s prayers as prayed.

4.0 CONCLUSION

4.1 In consideration of all our preceding submissions in the body of this Written Address, all of which we hereby adopt, we respectfully urge this Honourable Court to grant this Application and to answer the Issue for Determination, as framed by the Applicant, in the affirmative. There is a likelihood of breach of the Applicant's to personal liberty and fair hearing guaranteed by Section 35 , 36 and 45 of the 1999 Constitution as amended.

Dated this <sup>27<sup>th</sup></sup> Day of <sup>09</sup>..... 2024



Elvis E. Asia

BOLS ATTORNEYS & SOLICITORS

1<sup>st</sup> Respondent 's Counsel

6b, Olabanji Olajide Street

Off AdewunmiAdebimpe Drive

Lekki Phase 1, Lagos

08069506030, 08038513474

[mail@bolsattorneys.com](mailto:mail@bolsattorneys.com)

[www.bolsattorneys.com](http://www.bolsattorneys.com)

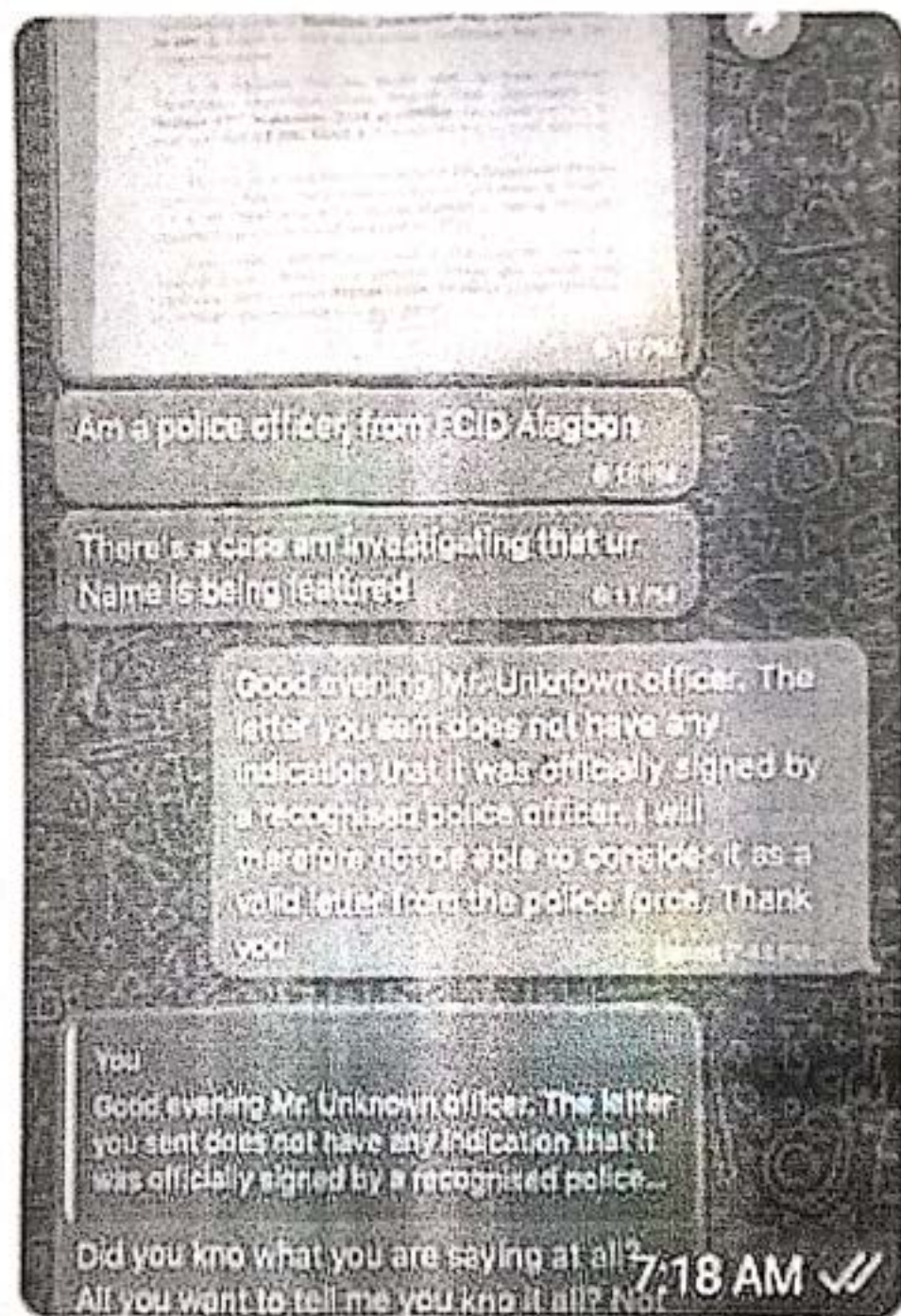
FOR SERVICE ON:

1. 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents  
The Nigerian Police Force  
Force Criminal Investigation Department Annex  
Alagbon Close, Ikoyi - Lagos
2. 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents  
Valley view plaza,99 Opebi Road  
Opebi, Allen, Ikeja  
Lagos



encrypted. NO ONE OUTSIDE OF THIS CHAT, NOT even WhatsApp, can read or listen to them.  
Tap to learn more.

⇒ Forwarded



You  
Photo

Good morning We are counsel to



Team E  
investigation of S.B.U  
report  
17/8/24

**LAGOS STATE DOMESTIC AND SEXUAL VIOLENCE AGENCY**

31<sup>st</sup> July 2024

The Commissioner of Police,  
Lagos State Police Command  
Muiz Banire Street,  
Ikeja

Attention: Officer-in-Charge,  
Gender Desk

*OC Gender*  
*Investigate and report*  
*17/8/24*

**REFERRAL LETTER**

As you may please be aware, the Domestic and Sexual Violence Agency (DSVA) was established to increase victim safety and reduce the commission of Sexual and Gender-Based Violence in the State to the barest minimum.

We refer Ms. Adewoye Adedoyin (28 years old) to your office for your kind assistance.

Ms. Adewoye Adedoyin alleged that her employer, Mr. Ekeneme Terry sexually abused her.

Ms. Adewoye Adedoyin alleged that Mr. Ekeneme Terry sexually assaulted her on the 21<sup>st</sup> of July 2024 when he invited her to a hotel under the pretenses of discussing work, she disclosed that upon entering the room, Mr. Ekeneme Terry forcefully stripped her naked after which he proceeded to have unconsented sexual intercourse with her

The allegations levied against Mr. Ekeneme Terry constitute the offence Rape, Sexual Assault by Penetration contrary to the Criminal Law of Lagos State 2015.

In view of this, we urgently seek your assistance in ensuring that the case is adequately investigated and justice served.

For Further information, please do not hesitate to contact the Gender -Based Violence Case Officer, Mrs. Jack Mojisola who can be reached on 0812-634-3525

Thank you for your kind assistance in this regard.

*[Signature]*  
Mrs. Bello Oluwakemi  
Head Field Operation Department  
Lagos State Domestic and Sexual Violence Agency  
Mrs. Adewoye can be reached on 0905-917-0919

COMMISSIONER OF POLICE  
LAGOS STATE COMMAND  
31 JUL 2024  
**RECEIVED**  
SIGN..... TIME..... 1507hs



Team E  
Investigate & B.O  
report  
17/8/24

**LAGOS STATE DOMESTIC AND SEXUAL VIOLENCE AGENCY**

31<sup>st</sup> July 2024

The Commissioner of Police,  
Lagos State Police Command  
Muiz Banire Street,  
Ikeja

Attention: Officer-in-Charge,  
Gender Desk

*De Gender  
Investigate  
and furnish  
report*  
15/7/24

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*[Signature]*  
Mrs. Bello Oluwakemi  
Head Field Operation Department  
Lagos State Domestic and Sexual Violence Agency  
Mrs. Adewoye can be reached on 0905-917-0919

COMMISSIONER OF POLICE  
LAGOS STATE COMMAND  
3 JUL 2024  
**RECEIVED**  
SIGN..... TIME..... 1507hs

Original copy  
received by me  
~~Ⓢ~~  
Time: 2:44pm  
Moses Jay

9<sup>th</sup> September 2024

The Managing Director  
Multi Global Visa Ultimate Ltd  
Valley view plaza, 99 Opebi Road  
Opebi Allen Ikeja  
Lagos

Attention: Terry Ekanem

Dear Sir,

**DEMAND FOR PUBLIC APOLOGY AND DAMAGES FOR BATTERY, SEXUAL ASSAULT, NEGLIGENCE, AND BREACH OF FIDUCIARY DUTY AGAINST MR. TERRY EKANEM AND MULTI GLOBAL VISA ULTIMATE LIMITED**

We are counsel to Adedoyin Adewoye (hereinafter referred to as "our client") on whose instructions we write to you regarding the above -referenced subject matter.

Our client informed us as follows:

1. On 11<sup>th</sup> June 2024, our client received a text from the company, through your secretary, Ms. Anuoluwapo Elizabeth Babalola, inviting her for an interview scheduled for Thursday, 13<sup>th</sup> June 2024, at 9.00 AM at Valley View Plaza ,99 Opebi Road, Opebi- Allen, Ikeja Lagos for the role of a Front Desk Representative.
2. During the interview, our client was unexpectedly interviewed for the role of a Sales Representative, contrary to the Front Desk Representative role for which she had applied. As a result, she declined the offer letter. She however was subsequently interviewed via telephone phone calls and eventually agreed to work as a freelance agent for the company.
3. On 20<sup>th</sup> June 2024, you initiated a three-way call between yourself, our client, and your secretary. In the said call, you informed her of the monthly target required of the job, which she immediately refused. She later sent a WhatsApp message to your secretary stating that she could not commit to meeting the target. Your secretary advised her to inform you directly, which she did.
4. Our client made fliers in order to advertise and promote your company as an agent as she was unable to make use of your company's fliers thereby doing her job diligently and working effectively to ensure due commitment to your company.

5. During the subsequent interview, you informed our client of your intention to open a new branch in Victoria Island and expressed a desire for her to oversee the branch and conduct interviews for potential hires. An agreement was eventually reached that she would act as an agent for the company until you return to Nigeria and the opening of the new office in Victoria Island.
6. On 18<sup>th</sup> July 2024, you sent our client a WhatsApp message informing her that you were in the country and wished to meet with her and your secretary at the Watercress Hotel to discuss the opening of the Victoria Island branch.
7. On that Sunday, our client missed a call from you while attending church. After the service, she returned your call and inquired about your availability, which you affirmed via WhatsApp. You then requested that she come to the hotel for the meeting, supposedly to be held with your secretary as well.
8. When our client attempted to book a ride, she noticed the high fare and informed you. You insisted she proceed with the booking, assuring her that you would cover the cost.
9. Upon arriving at the Watercress Hotel, you instructed that she should come to room 603. She initially declined and requested that the meeting take place in the hotel lobby. However, you reassured her that your secretary was already nearby and would join the meeting soon. Based on this assurance, she proceeded to the room.
10. Upon entering, you opened the door and welcomed her, and she sat on the chair facing the desk. Shortly after, you attempted to pull her onto the bed, instructing her to make herself comfortable. She resisted and questioned what was happening. Without warning, you removed your clothes and locked the door as she tried to leave.
11. You then stated in your very own words, "Leave to where you that I've had you in mind since and I have been planning this for a while and hence you would not be going anywhere". Despite her pleas for mercy, and her attempt to appeal to your conscience by asking you to consider her as your daughter, you refused. Trapped at the Corner of the bed and the desk, she struggled to free herself. As she attempted to run to the door, you pursued her; violently pulling off her wig and loosening the locks on her hair, causing her immense pain.
12. You overpowered her, continuing to strangle her until she was gasping for breath. You threw her onto the bed, pinned her down, and sexually assaulted her by having carnal knowledge of her without her consent.

+234 806 950 6030

mail@bolsattorneys.com

+234 803 851 3474

bolsattorneysandsolicitors@gmail.com

www.bolsattorneys.com

ATTORNEYS AT LAW & SOLICITORS

Block 104, Plot 68, Olabajobi Olajide Street,  
Lekki Scheme 1, Lagos.

4, Chief S.O. Ehule Lane, Off Ada-George Road,  
Port Harcourt, Rivers State.

28, Ogbelaka Street, Benin City

**B**  
BOLS

13. Despite her efforts to resist, you forcibly continued, ejaculating inside her. Due to her struggle, some of the semen spilled onto her underwear. After the assault, you lay beside her.
14. Through her tears, she confronted you, asking why you had raped her. You responded, stating that you had been so horny and had desired her for a long time. When she tried to leave, you insisted she stay, claiming your secretary had not yet arrived. In fear and trembling considering the violence you had done to her, she waited.
15. Eventually, your secretary, Anuoluwapo Elizabeth Babalola, arrived at the hotel carrying a pink box, like she was coming for a weekend getaway. At that moment, our client realized that there had never been a legitimate meeting to discuss the opening of the alleged Victoria Island branch, nor any other business matter.

In light of the above, our client believes that she was lured to the hotel under the false pretense of a company meeting, only to be sexually assaulted, battered, and violated. Looking back at the events starting from the first interview and subsequent interviews and discussions with you, it is clear that there was never any meaningful desire to offer her a job. The interview, appointment as agent, and purported opening of Victoria Island branch were all a smokescreen to have carnal knowledge of our client without her consent.

This heinous act was facilitated by the company's failure in its fiduciary duty and negligence, creating the environment that enabled this exploitation. Our client would not have gone to the hotel if not for the assurance that Anuoluwapo Elizabeth Babalola, the secretary, would be present for the supposed meeting. The company also allowed you to use a phantom interview for ulterior motives which have cost our client dearly.

Our client suffered severe emotional, psychological, and physical distress, which has resulted in significant medical expenses, including therapy and counseling. Additionally, the incident has affected our client's ability to work and engage in everyday activities and she is in dire need of medical and therapeutic support.

We are therefore instructed by our client to demand the following:

- a. A public apology published in a national newspaper.
- b. Medical and therapeutic support.
- c. Compensation in the sum of N500, 000,000 (Five Hundred Million Naira).

Please be advised that failure to comply with these demands within seven (7) days from the receipt of this letter will result in legal action against you personally and the company. We were also instructed to report this incident to regulatory agencies and other appropriate authorities to expose what our client believes is the company's role in



using interviews as a pretext to lure innocent women into harmful situations including rape and sexual assault.

We trust you will treat this matter with the urgency it deserves.

Thank you.

Yours faithfully,

  
Elvis E. Asia



13th September 2024

The Managing Director  
Multi Global Visa Ultimate Ltd  
Valley view plaza, 99 opebi Road  
Opebi Allen Ikeja  
Lagos

Attention: Terry Ekanem

Dear Sir,

**RE: DEMAND FOR A PUBLIC APOLOGY AND DAMAGES FOR BATTERY, SEXUAL ASSAULT, NEGLIGENCE AND BREACH OF FIDUCIARY DUTY AGAINST MR. TERRY EKANEM AND MULTI GLOBAL VISA ULTIMATE LIMITED**

We refer to our letter regarding the above subject, dated and received by you on 9th September 2024.

We note that the seven (7) days provided for a response in our previous letter have elapsed without any formal reply. However, our client has forwarded to us the voice notes you sent her via WhatsApp on 13th September 2024, which we consider to be an informal and implied response to her claim.

In the voice notes, you acknowledged receipt of our letter and asserted, among other things, that you were in a romantic relationship with our client, claiming that you had met her at other hotels prior to the one in question to the knowledge of other third parties. Additionally, you alleged that our client sent you nude photographs, which you threatened to expose should she fail to withdraw her claim. Finally, you stated that she could not challenge you in any way.

Our client categorically denies these allegations, asserting that they are false, malicious, and purely a fabrication. She believes these claims are a deliberate attempt to misrepresent the facts and divert attention from the truth—namely, that she was sexually assaulted by you.

Our client challenges you to substantiate your threat by producing the nude photographs you claim she sent, as well as any evidence of meetings that took place outside of your office or at the hotel on the date of the incident in question.

**BOLS**  
**ATTORNEYS**

While we are in the process of preparing appropriate legal action, as referenced in our previous correspondence, please be informed that we regard the voice notes as direct threats against our client. Consequently, we will be forwarding them to the relevant security agencies for appropriate action. Our client has also been advised to pursue any legal measures necessary to ensure her protection from these threats, which may include making the voice notes and related information public.

Kindly consider this letter a reminder of our demands as outlined in our previous correspondence. We are under instruction to initiate legal proceedings 7 days from your receipt of this letter if no formal response is received, without further recourse to you.

Thank you.

Yours faithfully

  
Ehin E. Anin  
A. N. ANIN, GALLICAN ACT

