

CONTRADICTIONS

CONTRADICTIONS IN PROSECUTION'S CASES – To affect conviction, such contradictions must be sufficient to raise doubt as to the guilt of the Accused – OGOALA V STATE 1991 2 LRCN 660; 1991 2 NWLR Pt. 175, 509 at 525; NWOSISI V STATE (1976) 6 S.C. 109; EJIGBODERO V STATE 2 NWLR Pt. 75; AYO GABRIEL V STATE 1989 5 NWLR Pt. 122 457 at 468 – 469; IKO V STATE 2001 90 LRCN 2896.

CONTRADICTIONS – For contradiction to be essential and affect the decision of a trial court, such contradictions must be material and fundamental. They must create doubt in the mind of the court to such a degree that the court believes that the doubt must be resolved in favour of the accused – AWOPEJO V STATE 2001 92 LRCN 3187.

CONTRADICTIONS – MATERIALITY – To affect conviction, the contradiction must be material ISIBOR V STATE 2002 94 LRCN 279.

CONTRADICTIONS – WITNESSES – Where there are material contradictions in prosecution's case, the accused is entitled to the benefit of doubt – ONUBOGU V STATE 1974 9 S.C 63; NWABUEZE V STATE 1988 3 NWLR Pt. 86, 16 DOGO V STATE 2001 83 LRCN 179

CONTRADICTIONS IN PROSECUTIONS CASE MUST BE MATERIAL – OKE V IGP 14 WACA 645; ORUWARI V STATE 1985 3 NWLR Pt. 13 486; HAUSA V STATE 1994 6 NWLR Pt. 360 P. 281 at 286.

CONTRADICTIONS BETWEEN PREVIOUS STATEMENT AND EVIDENCE – The proper direction the jury is that his testimony on the point is

negligible and unreliable and that their verdict should be founded on the rest of his evidence – R V HARRIS 20 C.A.R 144; DOGO & 4ORS V STATE 2001 83 LRCN 179 at 183.

CONTRADICTION – MATERIALITY – ODUNEYE supra Rat. 13

CONTRADICTION – MATERIAL TO VITIATE CONVICTION – Only contradiction which goes to the substance can vitiate conviction – DR. ODUNEYE V STATE 2001 83, 1.