

**AN OPEN LETTER TO PRESIDENT MUHAMMADU BUHARI GCFR
ON THE ABUSE OF COURT PROCESS BY THE ECONOMIC AND
FINANCIAL CRIMES COMMISSION ON CHIEF DR INNOCENT
CHUKWUMA OFR AS INSTIGATED AND SPONSORED BY
GUARANTY TRUST BANK PLC**

Having just a few minutes ago sworn on the Holy Book, I intend to keep my oath and serve as President to all Nigerians. I belong to everybody and I belong to nobody.
President Muhammadu Buhari GCFR

I, Chief Dr. Innocent Chukwuma OFR, is the Chairman of IVM Innoson Group with member companies such as Innoson Vehicle Manufacturing Company Limited- Africa's 1st indigenous vehicle manufacturing company; Innoson Nigeria Ltd- The first indigenous Motorcycle Assembly Company in Nigeria; General Tyres and Tubes- the only surviving tyre manufacturing plant in Nigeria; Innoson Technical and Industrial Company Ltd- The largest plastic manufacturing plant in West Africa.

I am also the Chancellor of Imo State University and a Centenary Awardee who was bestowed with the prestigious honor of the Officer of the Federal Republic of Nigeria (OFR).

IVM Innoson Group has over 10,000 indirect workers and over 7,300 direct employees who apart from earning their living through the parent and subsidiary companies pay income taxes to the government.

Innoson Vehicle Manufacturing Company Limited has assisted the Nigerian Airforce in fighting Boko Haram by supporting its fighter jets with fabrication

of needed spare parts. Innoson Vehicle Manufacturing Company Limited is also in technical partnership with the Nigerian Army.

My Companies and I, particularly Innoson Nigeria Ltd., had been good customers of Guaranty Trust Bank Plc (GTB). Prior to the sad events that cumulated in the face-off between us, Innoson Nigeria Limited secured a monetary judgment of N2, 048, 737, 443.67 (Two Billion, Forty Eight Million, Seven Hundred and Thirty Seven Kobo) against GTB, from the Federal High Court Ibadan Division and subsequently at the Court of Appeal, Ibadan Division in Appeal NO. CA/1/258/2011 on the 6th day of February 2014.

My Company also had another monetary judgment of the Court of Appeal Enugu Division dated on the 9th of December, 2014 in its favour in Appeal No. CA/E/288/2013 against GTB, in the sum of ~~N~~5,936,126,219.01 (Five Billion, Nine Hundred and Thirty-Six Million, One Hundred and Twenty Six Thousand, Two Hundred and Nineteen Naira, One Kobo) with 22% interest till the liquidation of the judgment debt. As at today, GTB owes me over N22 Billion. Subsequent to the two said judgments of the Court of Appeal, the GTB had tried in futility to negotiate the judgment sums ridiculously downwards.

GTB had earlier in one of its affidavits at the Court of Appeal Enugu Division deposed to the fact that if it pays the judgment debts, it will face serious liquidity deficiency which will adversely affect its banking operations.

Consequent upon the failure of GTB to achieve a comfortable and downward negotiated figure with my company in respect of the two judgment debts, it colluded with some corrupt men and officers of the Nigerian Police Force, to contrive a false criminal charge of forgery against me and my company. Also in

a bid to arm-twist, blackmail and compel me to forego and drop the two judgments and another fresh claim of thirty billion Naira against it, GTB corruptly and in a sudden twist, colluded with The Economic and Financial Crimes Commission- EFCC and concocted a false complaint of forgery of about two bills of lading against me.

It is noteworthy that in all the civil cases whose facts are closely connected to the alleged forged bills of lading, and which gave rise to one of the judgments at the trial courts, and even up to the Court of Appeal, GTB did not at any time raise the issue of forgery as a defence to the action in any of the courts that adjudicated the case.

Mr. President, It is interesting to state that upon the receipt of GTB's petition EFCC commenced a full investigation into the allegations of forgery against me. Upon the conclusion of its investigation, both in its interim and final report the EFCC, never indicted me, or established any prima facie case of fraud or forgery or any other offence against me, but rather stated that it had reconciled my account with GTB and recommended that I should pay a certain amount of money to GTB being what is outstanding after it had deducted five hundred and sixty million Naira (₦560,000,000:00) being excess and unlawful charges that GTB took from my account.

I rejected EFCC's request and commenced two suits – suit Nos FHC/AWK/CS/138/2012 and FHC/AWK/CS/139/2012 against both EFCC and GTB at the Federal High Court, Awka Division. In its counter affidavit of 2nd August 2012 in suit No FHC/AWK/CS/138/2012, EFCC deposed, particularly at paragraph 15, that upon further investigation, it could not confirm GTB's

allegation against me. In suit No FHC/AWK/CS/139/2012, which is on GTB's excess, unlawful and illegal charges on my account, the court rendered a judgment of over 4.7 billion Naira in my favour against GTB.

EFCC felt slighted and angered by my refusal to accept its reconciliation contained in its letter of 20th September 2012 and, coupled with GTB's prompting and instigation, EFCC filed Charge No. ID/197C/2013 against me and my company at the Lagos State High Court, Ikeja. Later, in 2014, the charge was struck out. I appealed against the striking out order at the Court of Appeal Lagos Division on the basis that the charge ought to be dismissed and as well filed a motion on notice at the Court of Appeal, Lagos Division praying among others that EFCC be restrained from filing a further charge in respect of the same subject matter until determination of the appeal –Appeal Nos: CA/L/1328CM/17, CA/L/1329CM/17 & CA/L/1330CM/17.

Subsequently, in 2015, GTB instigated The Nigerian Police to charge me to court. The Nigerian Police filed Charge No. FHC/L/565c/2015 at the Federal High Court Lagos Division. Later, the Nigerian Police on seeing that the charge is a trumped up, withdrew the charge from the court.

However, GTB characteristically got the then Director of Public Prosecution of the Federal Republic of Nigeria – Mr. Diri – to claim to have taken over the Charge/case using the name of the Attorney General of the Federation. This charge is till date pending at the Federal High Court Lagos Division and some of the issues arising from it are till date, pending at both the Court of Appeal and the Supreme Court.

While Charge No. FHC/L/565c/2015 is still pending and subsisting, GTB went back again to EFCC and instigated EFCC to illegally arrest me at my residence on Dec 19th, 2017. This led to a huge outcry from well-meaning Nigerians condemning the Illegal arrest.

To justify its action, EFCC filed Charge NO: ID/6696c/2017 at Lagos State High Court Ikeja on the same subject matter, issue, transactions and parties as Charge No. FHC/L/565c/2015 pending at the Federal High Court, Lagos Division and as well the same with the appeal pending at the Court of Appeal Lagos Division. All these parallel charges are till today still pending against me.

Mr. President, I do not know why EFCC allowed itself to be used by GTBank to abuse court process in a matter it had earlier investigated without mentioning of fraud or forgery in its various reports order than that both parties have refunds to make to each other; **and for which it has deposed in a counter affidavit in suit no. FHC/AWK/CS/138/2012 that it cannot confirm GTB's allegation against me.** EFCC as a Federal Government Agency is supposed to be unbiased in resolving the dispute between Innoson and GTB, but its actions indicated it is doing the bidding of GTB.

I believe that the pending trumped-up criminal case against me and Innoson Nigeria Limited will fail for lack of merit but it has the effect of discouraging my Foreign Partners and prospective Foreign Investors whom I have attracted to Nigeria from doing business with me and or investing in Nigeria anymore with its concomitant effect of loss of job creation and job opportunities. **This is what the GTbank wants to achieve in order to compel us to negotiate the judgment sum downwards with it to a ridiculous amount or if possible have me**

killed if by any chance I am remanded in prison by any court. Mr. President, we have refused to yield to such a cheap blackmail and consequently run to you for a prompt Presidential and Fatherly intervention.

In the circumstance, I humbly request that Mr. President directs that the Honourable Attorney-General take over the case and continue or discontinue it based on its merit.

I shall appear in any court or any investigative panel to answer any questions or charges relating to the allegation particularly in a court in which there is due process, compliance with rule of law, fair hearing and the charge did not constitute an abuse of process. Holding faith in your promise that you shall serve as President to all Nigerians and to belong to everybody and belong to nobody, I believe for your prompt intervention on my request.

Thank you, Sir, for your anticipated and esteemed consideration.

Yours Faithfully

Chief Dr. Innocent Chukwuma. OFR

Chairman/CEO

IVM Innoson Group