
**IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
ADENTAN – A.D. 2026**

SUIT NO.: GR/AD/HC1/CC1/20/2026

**THE EXECUTIVE DIRECTOR
ECONOMIC AND ORGANISED CRIME OFFICE**
Off Barnes Road
Near Old Parliament House, Accra

VERSUS

**GABRIEL ADOVOE KWABLA KWAMIGAH
@GABRIEL TANKO ATOKPLE**
No. 65 Central High Street
Adjiringanor, East Legon, Trasacco
GD-167-4849

SESI-EDEM COMPANY LIMITED
No. 65 Central High Street
Adjiringanor, East Legon, Trasacco
GD-167-4849

AND

**IN THE MATTER OF AN APPLICATION FOR AN ORDER PUNISHING THE
RESPONDENT FOR CONTEMPT OF THE HIGH COURT PURSUANT TO ARTICLE
19(12) OF THE 1992 CONSITUTION**

THE REPUBLIC

VERSUS

ABUBAKAR AHMED @ BLAKK RASTA
(Applicant will direct service)

RESPONDENT

EX PARTE

SESI-EDEM COMPANY LIMITED
No. 65 Central High Street
Adjiringanor, East Legon, Trasacco
Accra

APPLICANT

APPLICANT
Filed on 29/10/2026
2150
2026
at Registrar
HIGH COURT, ADENTAN-GA/P

1ST RESPONDENT

2ND RESPONDENT

MOTION ON NOTICE

**FOR AN ORDER COMMITTING THE RESPONDENT FOR CONTEMPT OF THE HIGH COURT
PURSUANT TO ARTICLE 19(12) OF THE 1992 CONSTITUTION**

PLEASE TAKE NOTICE that this Honourable Court shall be moved by Counsel for and on behalf of the Applicant herein praying for an order committing the Respondent to prison for contempt of the High Court upon the grounds set out in the supporting affidavit.

AND for any further order(s) as this Honourable Court may deem fit.

~~FILED~~
COURT TO BE MOVED on FRI. the 8th day of MAY 2026 at 9 o'clock in the forenoon or so soon thereafter as Counsel for the Applicant may be heard.

DATED THIS 29TH DAY OF APRIL 2026 AT KNIGHTSCILD CHAMBERS, NO. 58G FOURTH CIRCULAR ROAD, CANTONMENTS, ACCRA.


MAWUNYO KOFI ADJAHO
Counsel for the Applicant
Solicitor's Licence No.: GAR 02207/26

The Registrar
High Court
Adentan

And to the above-named Respondent.

Filed on... 29/04/2026
2:50
SAS
Registrar
COURT, ADENTAN GA/R,

**IN THE SUPERIOR COURT OF JUDICATURE
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APPLICANT

AFFIDAVIT IN SUPPORT

**OF MOTION ON NOTICE FOR AN ORDER COMMITTING THE RESPONDENT FOR
CONTEMPT OF THE HIGH COURT PURSUANT TO ARTICLE 19(12) OF THE 1992
CONSTITUTION**

I, Marcus Bentil, of No. 65 Central High Street, Adjiringanor, East Legon, Trasacco, Accra do
make oath and say that:

1. I am the Legal Director and Company Secretary of the Applicant and duly authorised to depose to this affidavit on its behalf.
2. At the hearing of this application, Counsel for the Applicant shall seek leave of this Honourable Court to refer to and rely on all processes filed in this suit as though fully set out herein.
3. Unless otherwise stated, the facts deposed to herein are within my personal knowledge or are derived from the records of the Applicant to which I have access in my official capacity and are true to the best of my knowledge and belief. The quotations set out in this affidavit are transcriptions of the spoken words of the Contemnor as recorded in the broadcasts identified herein and are verifiable by reference to the preserved recordings exhibited hereto. Attached and marked as **EXHIBIT MB1** is a pen drive containing all the broadcasts referred to.
4. The Contemnor, Abubakar Ahmed, also known as “Blakk Rasta”, is a media personality and broadcaster who operates a publicly accessible YouTube channel known as Blakk Empire Media, with approximately 54,800 subscribers, together with associated social media platforms directed at a Ghanaian audience. His broadcasts routinely attract substantial viewership.
5. The broadcasts complained of were published on publicly accessible platforms operated by the Contemnor and attracted significant circulation. They concern proceedings pending before this Honourable Court in **Executive Director, Economic and Organised Crime Office (EOCO) v Gabriel Adovoe Kwabla Kwamigah & Another [SUIT NO.: GR/AD/HC1/CC1/20/2026]** (“the Proceedings”), including a ruling defreezing the Applicant’s account (**EXHIBIT MB2**) and a pending Motion for Stay of Execution (**EXHIBIT MB3**).
6. Between approximately 13 April 2026 and 28 April 2026, the Contemnor published at least six video broadcasts directly and substantially concerning the Proceedings. The publications were sustained, targeted and deliberate commentary on the Proceedings, the parties, the Applicant’s legal representatives, and the presiding judicial officer, His Lordship Justice Richard Appietu.
7. **The first ground of contempt** lies in the Contemnor scandalising this Honourable Court by a sustained course of publications imputing corruption and impropriety to the Court’s ruling and to the presiding judicial officer.

8. The statements set out below are not isolated remarks but form part of a continuous and escalating narrative, the effect of which is to portray the decision of this Honourable Court as having been improperly procured.
9. On or about 13 April 2026, the Contemnor published a video broadcast entitled "**Plot To Remove RAYMOND ARCHER FOILED**" (hereinafter "**Broadcast 1**"). At timestamp 26:43, the Contemnor made the following statement in direct and deliberate connection with his commentary on the ruling of Justice Appietu to defreeze the Applicant's accounts:

"I am glad that they are talking court court court court. My prayer is that those judges who were taking goat to pass stupid judgments in court have all been removed. Those stupid judges who were taking goat to free armed robbers and criminals as Anas exposed. Do you have any conscience... if some of them are still hiding somewhere, shame on you. Because if people start running away to come to the court in order to get justice and you can take a goat, is that how cheap you are? ...But whatever it is EOCO is going to continue investigating."

10. This statement was made immediately following extended commentary on the ruling of this Honourable Court delivered on 19 March 2026 ordering the defreezing of the Applicant's accounts. By invoking instances of judicial corruption exposed by Anas Aremeyaw Anas in that context, the Contemnor introduces and anchors the narrative that the ruling under discussion belongs to the class of corrupt or improperly influenced decisions.
11. The Contemnor thereafter reinforces that narrative in subsequent broadcasts by portraying the decision not as a lawful judicial determination but as something procured. Thus, on or about 15 April 2026, in a Broadcast titled "**MAGIC As TANKO'S Lawyer VANISHES In Court Today**" (hereinafter "**Broadcast 2**"), he stated at timestamp 10:53:

*"According to investigators, **he went to court and got a certain judge called Apietu to defreeze what EOCO had frozen and even go ahead to say EOCO had acted ultra vires.** In other words out of mandate. And Tanko put that out everybody saw it that he had won. He was sitting in an imaginary palanquin. Basking in the glory of his new-found victory dancing almost naked like David."*

12. The phrase “got a certain judge” suggests that the order was obtained through influence or arrangement rather than through the ordinary exercise of judicial discretion, thereby deepening the earlier imputation of impropriety.
13. The Contemnor then escalates the narrative by falsely suggesting that the decision is so suspect that even judges themselves cannot justify or be associated with it. Accordingly, on or about 24 April 2026, in a broadcast entitled “**EOCO Goes After TANKO Again as Judge Recuses Himself**” (hereinafter “**Broadcast 3**”), he stated at timestamp 11:56:

*"The judge who sat on the case. He probably looked at the whole thing and told himself 'herh! How did this man get the ex parte in his favour' How did this guy even get the ex parte decision in his favour... **Looking at this case how the other judge even unfroze the accounts of this guy 'dabi dabi dabi' I don't want to be part of this case. Take it back to that judge. No 'menti asie.'** So the case is going back to the chief justice and the referral recommended is that it should go back to the same judge who unfroze Tanko's accounts so that he would face his own story. You unfroze it right? Under what conditions? How did you do this? Did you see ABCDEF, and you still went ahead to do QRS face your camera."*

14. The said statements do not constitute fair or temperate criticism of a judicial decision. Rather, they question how the decision was obtained in a manner that implies impropriety, portray the learned judge as unable to justify his ruling, and falsely present subsequent judicial recusal as evidence of wrongdoing. The natural and ordinary effect of these statements is to invite the public to conclude that the decision of the Court was improperly procured, thereby undermining confidence in the integrity of the Court and bringing the administration of justice into disrepute.
15. The Contemnor thereafter removes any ambiguity by making a direct assertion of wrongdoing. Thus, on or about 25 April 2026, in a broadcast entitled “**FUGITIVE ‘FRAUDSTER’ TANKO WANTED OR NOT WANTED BY EOCO?**” (hereinafter “**Broadcast 4**”), he stated at timestamp 3:44:

*"They were pushing and the judge said you know what I recuse myself this whole issue, I don't know even how the accounts were defrozen. **When I look at the scenario I don't get it. Go back to the CJ for the***

CJ to find either the same judge, who messed up the whole thing or find another judge."

16. By asserting that the judge "**messed up the whole thing**," and by falsely attributing to another judge statements of confusion and disapproval of the order, the Contemnor presents the decision as fundamentally defective and improperly made. The narrative culminates in the portrayal of the judiciary as distancing itself from a tainted decision.
17. On or about 28 April 2026, in a broadcast entitled "**RAYMOND ARCHER Still Chases Fugitive KWAMIGAH-ATOKPLE As Volta Chiefs Applaud**" (hereinafter "**Broadcast 5**"), the Contemnor stated at timestamp 3:18:

*"Just before 10 days, he run to court trying to extend the period and the judge said Eh. Even me I have a problem with this injunction and some other decision I didn't take. **Go back to the judge who gave you the decision, I don't want to soil my hands in something I have never been part of. So this judge decided to send the case back to the CJ to decide which judge should sit on this. The judges are beginning to run away from the issue. Maybe they are beginning to think how did this guy here, this lousy rat. How did he get this decision in his favour and is this guy fit to advise the president? Such a lousy rat?"***

18. These statements falsely attribute to judges expressions of doubt and reluctance in relation to a valid court order and assert that "**the judges are beginning to run away from the issue**," thereby portraying the judiciary as collectively distancing itself from a decision perceived to be improper or corrupt. The false statement that a judge would not wish to "**soil [his] hands**" in relation to the order carries the clear implication that the matter is tainted by impropriety or corruption. In ordinary usage, the expression "to soil one's hands" denotes involvement in something improper or disreputable. In the present context, it suggests that the decision of the Court is of such a character that a judge would risk compromising his integrity by being associated with it.
19. The Contemnor further compounds this by encouraging disregard for judicial authority. In a broadcast titled "**TANKO RUNS Again To Court AGAINST EOCO**" issued on 16 April 2026 ("**Broadcast 6**") at timestamp 17:33, he stated:

*"Tanko is going to the court, where we all are supposed to get justice ultimately. **But again, our courts are seen to have some rodents in there who can just do anything** as Anas Aremeyaw Anas, exposed to us the other day in his expose... Congratulations for EOCO for not getting frightened or **hindered by any court or anything that has to do with the law.**"*

20. The statement that EOCO should be congratulated for not being "**hindered by any court or anything that has to do with the law**" is a direct public endorsement and encouragement of defiance of judicial authority. It is calculated to undermine respect for the orders of this Court, to encourage EOCO to treat court orders as impediments to be disregarded, and to interfere with the administration of justice.
21. The description of the judges as "**rodents**", made in the same statement and in the same context as the Anas corruption exposé references, further compounds the scandalisation of this Honourable Court and reinforces the Contemnor's broader campaign of undermining judicial authority in the Proceedings.
22. A judicial officer who is the subject of a sustained public campaign on a mass-audience platform is placed under improper external pressure in the exercise of his judicial function. Publications which apply such pressure to a named sitting judge in respect of a pending matter before him constitute contempt regardless of whether the judge in question is in fact influenced.
23. I am advised by counsel, and verily believe, that such conduct constitutes the offence of scandalising the court under the common law.
24. **The second ground of contempt** is intimidation of officers of the court.
25. I am advised by counsel, and verily believe, that this head of criminal contempt is established where a person publishes material which is calculated to deter a legal practitioner from continuing to discharge, or from freely discharging, his or her professional duties to a client in pending proceedings. The rationale is that the right of a litigant to be represented by counsel of his choice, and the freedom of counsel to discharge professional obligations without fear of public attack, are fundamental to the administration of justice. Any conduct which undermines those conditions is an interference with the administration of justice and constitutes contempt.

26. This ground operates on two distinct but related limbs on the facts of this case: **first**, a targeted campaign against the named individual solicitor, Yaa Boatemaa Ohene-Boansu; and **second**, a broader imputation of corrupt financial motive against the Applicant's legal team as a whole, which is calculated to deter any legal practitioner from continuing or taking up representation of the Applicant in these Proceedings.
27. On or about 15 April 2026, the Contemnor published **Broadcast 2**, entitled "**MAGIC As TANKO'S Lawyer VANISHES In Court Today**". The title of the broadcast is itself significant: it presents, as its primary subject matter, the alleged conduct of a named officer of the court in pending proceedings. In that broadcast the Contemnor made a series of false, defamatory and intimidatory statements concerning Yaa Boatemaa Ohene-Bonsu, a legal practitioner and an officer of this Honourable Court engaged as counsel for the Applicant in the Proceedings.
28. In Broadcast 2 at timestamp 17:18, the Contemnor made the following statements concerning Yaa Boatemaa Ohene-Boansu. He identified her by her full name, her law firm, and her personal history, including her academic connections to opposing counsel. He simultaneously displayed her photographs to his audience. He then stated:

"Today one of the lady lawyers from the law firm came, she was called Yaa Boatemaa Ohene-Bonsu, she is among these lawyers, this is the woman we are talking about. The EOCO lawyer saw her. They were together at law school and even at Legon. So when it was time to go into the court and argue the cases she vanished into thin air. So he picked the phone, trying to call her 'Maame, na wo wo he? We are about to sit oo hurry up.' Gone. So he faced the judge alone. So it came out that Kwamigah-Atokple Tanko has been running away from the bailiff and the bailiff could not send the information... How did she vanish. How come she came to court allegedly? And all of a sudden vanished into thin air. I spoke to the EOCO lawyer and he told me these are the delay tactics some lawyers use in order to delay the whole process but we are bent on getting justice for the people of Ghana."

29. The following matters in this passage require particular attention. First, the account of Yaa Boatemaa Ohene-Bonsu "vanishing into thin air" is false as she was never

in court. Second, the Contemnor presents this false account not as his own observation but as information received directly from EOCO's counsel — "I spoke to the EOCO lawyer" — lending it the apparent authority of a party to the Proceedings and its legal representative. Third, the Contemnor expressly characterises the alleged conduct as deliberate professional misconduct — "delay tactics some lawyers use" — thereby accusing Yaa Boatemaa Ohene-Bonsu of a breach of her professional duties as an officer of the court, broadcast to a mass public audience. Fourth, the disclosure of her full name, law firm, academic history and connections to opposing counsel, accompanied by photographs, converts the broadcast from commentary into personal targeting.

30. At timestamp 24:00 of Broadcast 2, the Contemnor repeated and embellished the false account with additional language designed to maximise public ridicule:

"In the interim, we were told that when it was time to hear the case, she grew wings and she flew like Maame Water back into the Atlantic ocean maybe the Indian ocean."

31. The Contemnor further used as the thumbnail image for Broadcast 2 a caricature of Yaa Boatemaa Ohene-Bonsu depicted in the air, so as to visually reinforce and ridicule the false account of her alleged disappearance. The thumbnail was the first image any viewer of the broadcast would encounter and was designed to attract public attention on a platform where thumbnails determine viewership. It subjects a named officer of the court to public caricature and obloquy in direct connection with her conduct of proceedings before this Honourable Court. A copy of the thumbnail is attached as **EXHIBIT MB4**.

32. On or about 16 April 2026, in Broadcast 6, entitled **"TANKO RUNS Again To Court AGAINST EOCO"**, the Contemnor maintained, repeated and elaborated the false account. At timestamp 6:36, he stated:

"Yesterday they went to court. But Tanko's lawyer was not there even though was seen around. We told you the whole story. Today, my brother, my sister, we have a new story. Today we have a new story. Now watch this. Tanko's lawyer, lawyer Boatemaa was lurking around the court house yesterday, and was seen by a number of people, when it was time to call the case, she was nowhere to be found."

33. By Broadcast 6, the false account has hardened into established narrative. The statement that she "was seen by a number of people" is deployed to give the false account the appearance of independent corroboration. This is the sustained construction of a public false record against a named officer of the court arising directly from her discharge of her professional duties.

34. In Broadcast 5 at timestamp 1:00, the Contemnor made the following statement concerning the Applicant's legal representatives generally:

*"This is the guy, so dirty and stinking. Upstairs, is so sad. He is running from one court house to the other. **Pushing his lawyers around. And because the lawyers have nothing to do, they are also running around, probably interested in the alleged fraud money. It is sad.**"*

35. The assertion that the Applicant's lawyers are "probably interested in the alleged fraud money" is an unsubstantiated imputation of corrupt financial motive directed at every legal practitioner acting for the Applicant in these Proceedings. It suggests, to a mass public audience, that counsel are not discharging their professional obligations but are instead motivated by a desire to benefit from alleged criminal proceeds.

36. The effect of this statement operates on two levels. At the level of the individual practitioner, it exposes every member of the Applicant's legal team to public suspicion of professional impropriety and potential reputational consequences arising from the imputation. At the systemic level, **it constitutes a public warning to any lawyer who might consider taking up or continuing representation of the Applicant: to do so is to risk being publicly branded, on a mass-audience platform, as a person interested in fraud money. The natural and probable effect of such a warning, broadcast to a large Ghanaian audience, is to deter lawyers from accepting instructions from the Applicant or from continuing to act for him — thereby depriving him of effective legal representation and interfering directly with the conduct of these Proceedings.**

37. I am advised by counsel, and verily believe, that the conduct established under both limbs of this ground constitutes criminal contempt of court by intimidation of officers of the court. The Contemnor has, through a sustained series of

publications to a mass public audience: (i) made false and defamatory statements about a named solicitor arising directly from her conduct of the Proceedings; (ii) subjected her to public caricature and ridicule on a widely accessed platform; (iii) characterised her conduct as deliberate professional misconduct; (iv) repeated and maintained those false statements across multiple broadcasts; and (v) imputed corrupt financial motive to the Applicant's entire legal team. Each of these acts, taken alone, would be sufficient to establish intimidation of an officer of the court. Taken together, they disclose a deliberate and sustained campaign to drive counsel away from the Applicant's representation and to leave him without effective legal assistance in proceedings that directly affect his liberty, property and reputation.

38. I have observed in the Broadcasts clear, repeated and explicit statements by the Contemnor identifying the Economic and Organised Crime Office (EOCO), a party to the Proceedings, as his direct source of information. The following verbatim statements are of particular significance:

(a) In Broadcast 1 at timestamp 12:48, the Contemnor stated:

"Now let me give you some of the details I got from EOCO, and it is interesting, now....."

(b) In Broadcast 3 at timestamp 20:44, the Contemnor stated:

"We spoke to the lawyer, and we asked the lawyer to compile quickly because we needed to come on and because we wanted to understand the law term properly. The EOCO lawyer, just write something quickly for us. And that is what we did."

39. The foregoing statements disclose that EOCO, including its legal counsel, actively furnished written materials to the Contemnor for the purpose of enabling him to broadcast commentary on the Proceedings in a manner favourable to EOCO and prejudicial to the Applicant. The Broadcasts were accordingly not the product of independent journalism but of a coordinated campaign in which a party to the Proceedings deployed a media broadcaster as an instrument of public pressure upon the judicial process, the Applicant, and its legal representatives.

40. I respectfully invite this Honourable Court to take cognisance of the matters set out above in determining the full character and gravity of the contempt, and to give such directions as it considers appropriate in respect of the conduct of EOCO's legal counsel in these Proceedings.
41. In the premises, I verily believe that the totality of the Contemnor's conduct as deposed herein constitutes a sustained, deliberate, and public campaign calculated to undermine the authority and dignity of this Honourable Court, to scandalise the administration of justice, and to intimidate officers of the Court, including legal practitioners engaged in these Proceedings.
42. The publications are not isolated or incidental commentary but form part of a coordinated narrative of accusation, ridicule, and insinuation, disseminated to a mass audience with the natural tendency to erode public confidence in the judiciary, prejudice ongoing proceedings, and deter counsel from freely and independently discharging their professional duties.
43. I am accordingly advised and do verily believe that the Respondent is in clear and continuing contempt of this Honourable Court, and that it is in the interest of justice that the Court intervenes to uphold its authority and protect the integrity of its processes by committing the Respondent to prison for contempt, to safeguard the administration of justice.

WHEREFORE I swear to this affidavit in good faith

SWORN AT ACCRA }
 THIS 28th DAY OF APRIL 2026 }

[Handwritten Signature]
 DEPONENT



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IN THE HIGH COURT OF JUSTICE
ADENTAN – A.D. 2026**

SUIT NO.: GR/AD/HC1/CC1/20/2026

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(Applicant will direct service)

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APPLICANT

CERTIFICATE OF EXHIBITS

Jennifer Ama Oforiwa Nkansah

Commissioner for Oaths, Accra do hereby
certify that the following documents have been exhibited to the Applicant's affidavit in support
of the instant application.



- EXHIBIT MB 1:** Pen drive containing impugned broadcasts made by the Respondent.
- EXHIBIT MB 2:** Ruling of the Honourable Court dated 19 March 2026, defreezing the Applicant's accounts.
- EXHIBIT MB 3:** Pending Motion for Stay of Execution filed by EOCO.
- EXHIBIT MB 4:** Copy of Thumbnail to **Broadcast 2**, entitled "**MAGIC As TANKO'S Lawyer VANISHES In Court Today**".



IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE HELD AT ADENTAN – ACCRA
COURT ‘1’ ON THURSDAY THE 19TH DAY OF MARCH, 2026
BEFORE HIS LORDSHIP JUSTICE RICHARD APIETU

SUIT NO. GR/AD/HC1/CC1/20/26

THE EXECUTIVE DIRECTOR ... APPLICANT/RESPONDENT
ECONOMIC & ORGANIZED CRIME OFFICE

CERTIFIED TRUE COPY
REGISTRAR
HIGH COURT, ADENTAN-ACCRA
25/3/26

VERSUS

- 1. GABRIEL ADOVOE KWABLA KWAMIGAH... 1ST RESPONDENT
@GABRIEL TANKO ATOKPLE
- 2. SESI-EDEM COMPANY LIMITED ... 2ND RESPONDENT/APPLICANT

PARTIES

2nd Respondent/Applicant is represented by Marcus Bentil
Other parties absent

EXHIBIT
JENNY'S COMMISSIONER FOR
OATH SERVICES
TEL: 0553084717
ADENTA FAFAHA COURT

RULING

This is a ruling on an Application by the 2nd Respondent/Applicant (hereinafter called Applicant) for an Order revoking the Order made on 30th January, 2026 confirming the freezing of Access Bank Account Number: 0006013002258, made on 17th December, 2025 by the Applicant/Respondent (hereinafter called Respondent) standing in the name of the Applicant herein.

BRIEF FACTS

On 20th November 2025, the Respondent issued administrative order to freeze the account of the Applicant herein. The Respondent made errors in respect of the Bank account stated in the administrative order.

On 17th December, 2025, the Respondent withdrew the initial freezing order and replaced it with the correct account number 00066013002258.

The Respondent, on 23rd December 2025 filed a motion ex parte for the administrative order to freeze the Access Bank Account of the Applicant. The confirmation was granted on 30th January, 2026. The applicant has therefore brought this application, seeking to review a freezing order made against him by this court on 30th January, 2026.

THE CASE OF THE APPLICANT

The Applicant claims that the order made by the Respondent should be revoked on the following grounds;

- 1) The allegations made by the Respondent that the non-delivery or refund of money by 4th November 2025 constitutes fraud are unsupported, as the Applicant holds a contractual right to complete delivery by June 2026.
- 2) They are duly licensed upon entry of Sale and Purchase Agreement (SPA) with Goldbod's formal permission.
- 3) The administrative directive, that is the freezing order, which the Respondent seeks to have confirmed, was made without jurisdiction, and the Respondent failed to notify this Honourable Court that the prior order of 20th November 2025 had lapsed and had affected them because the bank really froze their account in the first freeze which the Respondent made in error.
- 4) The alleged financial loss concerns a purely private entity, which falls outside the Respondent's statutory mandate.

THE CASE OF THE RESPONDENT

The Respondent is opposed to the Applicant's application and says that:

- 1) The argument in paragraph 7(d) of the Affidavit in support by the 2nd Applicant that the Respondent has no mandate to investigate this matter because the financial loss was suffered by a private person (Petitioner) is misleading.
- 2) The argument that there exist a Sales and Purchase Agreement (SPA), expiring in June 2026, therefore their inability to supply the Petitioner with the remaining consignment of gold does not amount to a breach of contract. This is misleading because fraud is established and vitiates everything.
- 3) That the argument of the Applicant under paragraph 7(c) of their affidavit in support that the Respondent acted out of its 14 days duration is misleading as the Respondent herein operated within time in relation to confirming the application.
- 4) The Respondent says it has mandate to investigate the Applicant.

CERTIFIED TRUE COPY
REGISTRAR
HIGH COURT, ADENTAN-ACCRA
2026

THE ISSUES FOR DETERMINATION

I have read the Applicant's application, the supporting affidavits and written submissions and examined the exhibits put in evidence by the Applicant.

I have also read the affidavit in opposition and written submissions filed by the Respondent. In my view the main issues to be determined in order to settle the matter before me are:

1. Whether or not the Applicant's non-delivery of outstanding gold nor refund of monies under the Sale and Purchase Agreement (SPA) by the Applicant on or before 4th November 2025 constitutes fraud?
2. Whether or not the Applicant was unlicensed at the time of the Sale and Purchase agreement (SPA) and could not trade in gold?
3. Whether or not the alleged financial loss concerns private entity and hence falls outside the statutory mandate of the Respondent?

I shall proceed to address the issues;

1. The first issue, that is, **“whether or not the Applicant's non delivery of outstanding gold nor refund of monies under the Sale and Purchase Agreement by the second defendant on or before 4th November, 2025 constitutes fraud?”**

I have noted that the date of performance of the said contract has not lapsed, the contract is to be performed on or before June 2026. In view of that, the non-delivery nor refund of the monies does not constitute fraud. In any case, the non-delivery will not even constitute fraud but a breach of contract, which is a civil matter for the parties to sue in Civil Court. It is therefore my considered opinion that this does not fall under the mandate of EOCO as provided under **Section 3 of Act 804**.

2. The second issue to resolve is **“whether or not the Applicant was unlicensed at the time of the Sale and Purchase Agreement and could not trade in gold?”**

From the evidence on record, the Applicant obtained license as a gold buyer from Precious Minerals Marketing Company Limited (PMMC) on 7th August 2024 which was valid until 6th August 2025. It also, by an agreement between the government of Ghana and itself, obtained a license to purchase and deal with gold on 11th October 2024. Upon the coming into force of the Goldbod Act, all previous licenses for dealing in gold were revoked. However, Goldbod issued a public notice on 22nd May 2025 permitting holders of pre-existing

CERTIFIED TRUE COPY
By 
REGISTRAR
HIGH COURT, ACCRA
25/3/25

gold license to continue trading until 21st June 2025. It is worth noting that the contract between the Applicant and JG Resources was entered into on 5th June 2025. It is my considered opinion that because the Goldbod notice allowed all previous gold dealing license holders to trade until 21st June 2025, the Applicant could not be said to have been unlicensed at the time of the said Sale and Purchase Agreement and therefore could not trade in gold since the contract between the Applicant and JG Resource was entered into on 5th June 2025.

3. The final issue I intend to resolve is “whether or not the alleged financial loss concerns private entity and hence falls outside the statutory mandate of the Respondent?”

Section 3(a)(vi) of Act 804 states that EOCO can investigate and on the authority of the Attorney General, prosecute serious offences. Section 74 of Act 804 defines serious offences to include money laundering. From the long title of Act 804, it is an ACT to “establish an Economic and Organised Crime Office as a specialised agency to monitor and investigate economic and organised crime and, on the authority of the Attorney-General, prosecute the offences to recover the proceeds of crime and provide for related matters.” These Objects of the office are further explained under Section 3 as;

- a) “investigate on the authority of the Attorney-General, prosecute serious offences that involves;
- (i) Financial or economic loss to the Republic or any State entity or institution in which the State has financial interest. It is my considered view that the issues brought against the Applicant do not fall under any of those mentioned in Section 3(a)(i), because JG Resources is a private entity and the agreement they entered into was purely a contract, and hence their activities so far is not one which falls under the mandate of the Respondent.

As I have indicated earlier, the Sale and Purchase Agreement is a contract, and unless the contract is one which promotes the commission of crime or any other act which is against the laws of the land, the contract remains a civil matter and when there is a breach it is for the parties to battle it out in a civil suit.

I am mindful of the fact that where a private entity engages in any activity which constitutes a crime, the state can investigate and possibly prosecute same, but in this case, breach of contract does not amount to defrauding by false pretences as stipulated in Section 131 of the Criminal Offences Act, 1960(Act 29).

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By [Signature] REGISTRAR
HIGH COURT, ADENTAN-ACCRA
21/06

CONCLUSION

ON THE ISSUE OF FRAUDULENT MISREPRESENTATION

The Goldbod notice inviting all persons desirous of trading or dealing in gold in Ghana set the deadline of 21st June, 2025 beyond which a person without a Goldbod license cannot trade or deal in Gold in Ghana. On 5th June, 2025, the Applicant executed a contract with JG Resources which was before the deadline of 21st June, 2025 as directed by GoldBod. These facts show that the Applicant had not acted in violation of the GoldBod directive. Therefore, they had committed no fraud since they were previously operating under a valid PMMC license and the Government of Ghana issued license to trade in Gold.

I am therefore of the considered view that no fraud was occasioned.

ON THE ISSUE MONEY LAUNDERING

It is trite law that a person should only be investigated for money laundering if the alleged person has committed a predicate offence and converts, conceals, disguises or transfers the property for the purpose of concealing or disguising the illicit origin of the property or assists any person who is involved in the commission of the predicate offence. The transaction between the Applicant and JG Resources is purely a contract between two parties which must be respected. More so, the Applicant entered into this contract in compliance with the GoldBod licensing re-registration directive. Therefore, to claim that the monies was fraudulently obtained under this contract is untenable. Consequently, there could not have been any money laundering since these monies were not sourced from a fraudulent transaction.

In the circumstance, the Respondent has failed to establish any suspicion of money laundering against the Applicant and therefore there is no basis to freeze his accounts and assets under the guise of investigating him for money laundering.

According to **Article 23** of the 1992 Constitution, administrative bodies and administrative officials shall act fairly and reasonably and comply with the requirements imposed on them by law and persons aggrieved by the exercise of such acts and decisions shall have the right to seek redress before a court or tribunal, this constitutional provision has receive judicial blessings in cases like **Awuni v WAEC[2003 2004]** SCGR 47.

Given the above, it is my considered view that the Respondent did not act fairly.

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REGISTRAR
HIGH COURT, DENTAN-ACCRA

In the circumstance, I find merit in the case made by the Applicant herein that the Respondent plainly acted ultra vires its statutory mandate, consequently, it is hereby ordered that the confirmation order to the administrative freeze dated 30th January, 2026 is hereby revoked.

I accordingly order the de-freezing of the accounts of the Applicant.

There is no order as to cost.

(SGD)
JUSTICE RICHARD APIETO
HIGH COURT JUDGE.

CERTIFIED TRUE COPY
REGISTRAR
HIGH COURT ACCRA
ASB

REPRESENTATION

David Gokah for the Applicant/Respondent – present
Mawunyo Adjaho with Yaa Boateng Ohene-Bonsu for the 1st Respondent & 2nd
Respondent/Applicant - present

EXHIBIT MB 3

Filed on 29/04/26
at 2:50
EXHIBIT Registrar
HIGH COURT
JENNY'S COMMISSIONER FOR
OATH SERVICES
TEL: 0533004717
ADENTA TAFAHA COURT

LEGAL & PROSECUTION
ECONOMIC & ORGANISED CRIME OFFICE

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
ADENTA
ACCRA, A.D 2026

SUIT NO. GR/AD/HC/CCI/20/26

**THE EXECUTIVE DIRECTOR
ECONOMIC AND ORGANIZED CRIME OFFICE - APPLICANT/RESPONDENT/APPELLANT**
Off Barnes Road,
Next to Old Parliament House, Accra.

VRS

GABRIEL ADOVOE KWABLA - 1ST RESPONDENT/APPLICANT/RESPONDENT
@GABRIEL TANKO ATOKPLE,
No. 65 Central High Street
East Legon, Accra.

SESI-EDEM COMPANY LIMITED - 2ND RESPONDENT/APPLICANT/RESPONDENT
No. 65 Central High Street,
East Legon, Accra.

Filed on 20/03/26
at 12:00
2nd Registrar
HIGH COURT, ADENTAN GATE

MOTION ON NOTICE FOR AN ORDER FOR STAY OF EXECUTION PURSUANT TO ORDER 45 RULE 15 OF C.I 47

TAKE NOTICE that this Honourable Court will be moved by Counsel for and on behalf of the Applicant/Respondent/Appellant herein, praying this Honourable Court for an Order of Stay of Execution on the grounds stated in the accompanying affidavit AND for such further orders as this Honourable Court may deem fit.

Court to be moved on 1ST Day of APRIL 2026 at 9:00 in the forenoon or so soon thereafter as counsel for applicant may be heard.

**DATED THIS 25th DAY OF MARCH 2026 AT THE LEGAL AND PROSECUTIONS DEPARTMENT,
ECONOMIC AND ORGANISED CRIME OFFICE**

Key

Kojo Anim Boateng, Esq

Solicitor for Applicant/Respondent/Appellant

LICENCE No.:eGAR 00262/26

THE REGISTRAR

HIGH COURT

ADENTA

ACCRA

AND FOR SERVICE ON THE ABOVE-NAMED RESPONDENTS:

- 1. Gabriel Adovoe Kwabla, No. 65 Central High Street, East Legon, Trassaco, Accra.**
- 2. Sesi-Edem Company Ltd, No 65 Central High Street, East Legon, Trassaco, Accra.**

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION 6
ACCRA, A.D 2026

SUIT NO. GR/AD/HC/CCI/20/26

**THE EXECUTIVE DIRECTOR
ECONOMIC AND ORGANIZED CRIME OFFICE - APPLICANT/RESPONDENT/APPELLANT**
Off Barnes Road,
Next to Old Parliament House, Accra.

VRS

**GABRIEL ADOVOE KWABLA
@GABRIEL TANKO ATOKPLE,**
No. 65 Central High Street
East Legon, Accra.

Filed on... 20/02/26
at... 12:03
1st Registrar
HIGH COURT, ADENTAN
RESPONDENT/APPLICANT/RESPONDENT

SESI-EDEM COMPANY LIMITED
No. 65 Central High Street,
East Legon, Accra.

2nd RESPONDENT/APPLICANT/RESPONDENT

AFFIDAVIT IN SUPPORT

I **ASO CALEB OWUSU-OFORI** of the Economic and Organised Crime Office, Accra do make oath and say as follows:

1. That I am the deponent herein and an officer of the Economic and Organised Crime Office (EOCO).
2. That I have the authority and consent of the Applicant herein to swear to this affidavit upon facts, which are within my knowledge by virtue of being one of the officers assigned to this case.

3. That at the hearing of this Application, the Applicant/Respondent Appellant, shall through his Counsel, seek the leave of this Honorable Court to refer to all processes filed in this suit.
4. That in November 2025, the Applicant/Respondent Appellant commenced investigations into alleged defrauding by false pretences committed by the Respondents against a petitioner, J. G. Resources Ltd.
5. That preliminary investigations conducted by Applicant/Respondent/Appellant has established that the 2nd Respondent/Applicant/Respondent hereinafter known as 2nd Respondent owned and run by the 1st Respondent/Applicant/Respondent in June 2025 made some false representations to J.G. Resources Ltd that it had the capacity to enter into a gold supply contract with them and did so when it knew that upon coming into force of the Ghana Goldbod Act in May 2025, all gold transactions had been ceded to the Goldbod and its licensed agents only.
6. That the 2nd Respondent upon entering into a contract with J.G. Resources Ltd to supply 50kg of gold within a stipulated period failed to supply the full amount due to it not being licensed by the Goldbod to do so necessitating the petition by J.G. Resources to us for investigations.
7. That the Applicant/Respondent/Appellant per Sections 3 and 33 of the Economic and Organized Crime Office Act, 2010, Act 804, administratively froze the bank account of the Respondent in November 2025 and same confirmed for a year by the Honourable Court on 30th January 2026 in order to prevent dissipation of funds pending conclusion of investigations.
8. That the 2nd Respondent on 10th February 2026 filed a motion for discharge of the freezing order alleging that the Applicant/Respondent/Appellant did not have the mandate to

investigate this matter simply because the financial loss was suffered by a private person and this was opposed by the Appellant.

9. That on 19th March 2026, the Honourable Court despite acknowledging that the written submission of the Applicant/Respondent/Appellant filed on 19th February 2026 had not being placed on the docket, nonetheless proceeded to set aside the freezing order on grounds that the Applicant/Respondent/Appellant did not have the mandate to investigate the Respondent
10. That the Applicant/Respondent/Appellant dissatisfied by the judgement herein has filed an appeal against the ruling of this Honourable Court dated 19th March 2026 on the following grounds:
11. That the learned trial Judge erred in law when he granted the application for discharge of the freezing order without properly applying the requirements under Section 39 having failed to consider whether the account was reasonably suspected to be connected to proceeds of unlawful activity.
12. That the trial Judge failed to appreciate the purpose of a freezing order, which is to preserve suspected proceeds of crime pending investigation and prosecution, thereby defeating the object of the law.
13. That I have been advised by Counsel and verily believe same to be true that an application ought to be made to this Honourable Court for an order for stay of execution to preserve the status quo ante until the final determination of the Appeal.
14. That I have been advised by Counsel and verily believe same to be true that the Appeal has a great chance of success.

15. That under the circumstances it is just for this Honorable Court to grant the order for the stay of execution.

WHEREFORE, I swear to this Affidavit in support.



DEPONENT

30TH
SWORN IN ACCRA THIS DAY OF MARCH 2026

BEFORE ME



COMMISSIONER OF OATHS
REGISTRAR
HIGH COURT
ADENTAN - ACCRA

EXHIBIT MB4

EXHIBIT
JENNY'S COMMISSIONER FOR
OATH SERVICES
TEL: 0553004717
ADENTA EKRAHA COURT

Filed on 29/04/20
at 2:50
S.A.E. Registrar
HIGH COURT, ADENTAN GAVR.



MAGIC As TANKO'S Lawyer VANISHES In Court Today



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