

IN THE CIRCUIT COURT HELD IN ACCRA ON 12TH DAY OF
SEPTEMBER, 2025 BEFORE HIS HONOUR SAMUEL BRIGHT
ACQUAH, CIRCUIT COURT JUDGE

CASENO. GR/AC/CC/D18/65/2026

THE REPUBLIC

VRS

KWAME BAFFOE @ABRONYE

Accused Person – present

Complainant –is the state

C/Insp Jonas Lawer-present with C/Insp Teye-Okuffo for the
Republic-present

Afenyo Markin with Godfred Dame and Daniel Martey Addo for the
accused person present led by Freddie Blay.

PROSECUTION:

Respectfully, though we are not done with investigation we will take
the plea of the accused person. My lord, please allow me to make
corrections on count one. We will like to change the age to 43
years.

Accused person's plea to be taken in ENGLISH LANGUAGE

COUNT ONE: Publication of false News with intent to cause fear
and panic contrary to Sections 208 (1) of the Criminal Offences Act
1960 (Act 29) and Section 123 of the Electronic Transaction Act,
2008 (Act 772)



PLEA: NOT GUILTY

COUNT TWO: Offensive conduct conducive to breaches of peace contrary to Section 207 of the Criminal Offences Act, 1960 (Act 29)

PLEA: NOT GUILTY

FACTS READ AND ATTACHED BY PROSECUTION

COUNSEL FOR ACCUSED:

With respect, we would want to pray for some amendment in the particulars of offence stated **National** be changed to **New**.

My lord that said and done we would like to be on record on this aspect of the conduct of the police. The accused person was brought before you on Tuesday the 9th of September, 2025. This was after he himself had reported to the police upon being invited after honouring the invitation, at the Police Headquarters.

He was whisked into a vehicle and sent to the **NIB** cells. That was on Monday the 8th September, 2025 then on 9th September, 2025, from the NIB cells, he was brought before you. It is important to add that the accused person was transported to court in a **BLACK MARIA** vehicle a high security vehicle that is to suggest that the offence was so grave that if the accused person is not brought in that form and shape, is likely to escape. My lord, as if that was not enough, upon the application of remand been upheld the accused person was again transported back in the same **BLACK MARIA** handcuffed again into NIB cells. It is important to state for the records that our checks confirmed that the NIB has nothing to do with this case. According to them, they were only keeping the accused person in lawful custody for the police.

My lord from the Tuesday that you ordered lawful custody till this morning the supposed investigation were they claimed they



needed the accused person for interrogation has not been founded at all. From their conduct, they only wanted to use that to punish the accused person.

My lord this high-handedness must not escape the wrathful eyes of this honourable court. The charges before this court are misdemeanour in nature and by law they are minor offences that do not warrant such high-handedness especially so upon inviting the accused person himself walked to the police. In the very matter according to them the accused person said this through social media and it went viral. Prior to them bringing him to court, they validated and verified the said statement they claimed had gone viral.

That said, the gentleman before you, as the records will bear is the Regional chairman of the Bono region of the New Patriotic Party (NPP) a very known politician and a person who has his social and economic ties and not the least his political ties in Ghana and will not escape the jurisdiction because of these charges being brought against him and before you. My lord again, the gentleman has a fixed place of abode he lives with his wife at House Number 10 Domanko street, Dome Parakuo estate, Accra.

My lord, we humbly pray and on bended knees to grant the accused person bail on very favourable conditions. My lord the police is likely to attempt swaying the court into believing that because the matter perhaps involves the Inspector General of Police (IGP), this court, must yield to their desire to punish him before he is heard in a full trial.

This is a court of justice where all rights are guaranteed where the citizens hope for justice. A self-recognisance bail in a situation like this will not be farfetched. It will assure you and the public that our constitution remains supreme and that no attempt to abuse rights of citizen will receive the courts blessing.



My lord the accused person has nowhere to run to. Except your very power has been given to you by the constitution to do right and to soothe the wounds of those who run to you including the accused person.

My lord, to conclude, our country is a developing democracy and some of these excesses of the agencies if not checked by the court, my lord the citizens may lose confidence in the system of government we have chosen for ourselves. The court has been well positioned by the constitution to assist in curtailing some of these excesses.

Today being Friday, my lord we pray that we shall be favoured by my lord and we assure you that, we will make ourselves available to stand trial and not abuse any favour that we will receive from this honourable court.

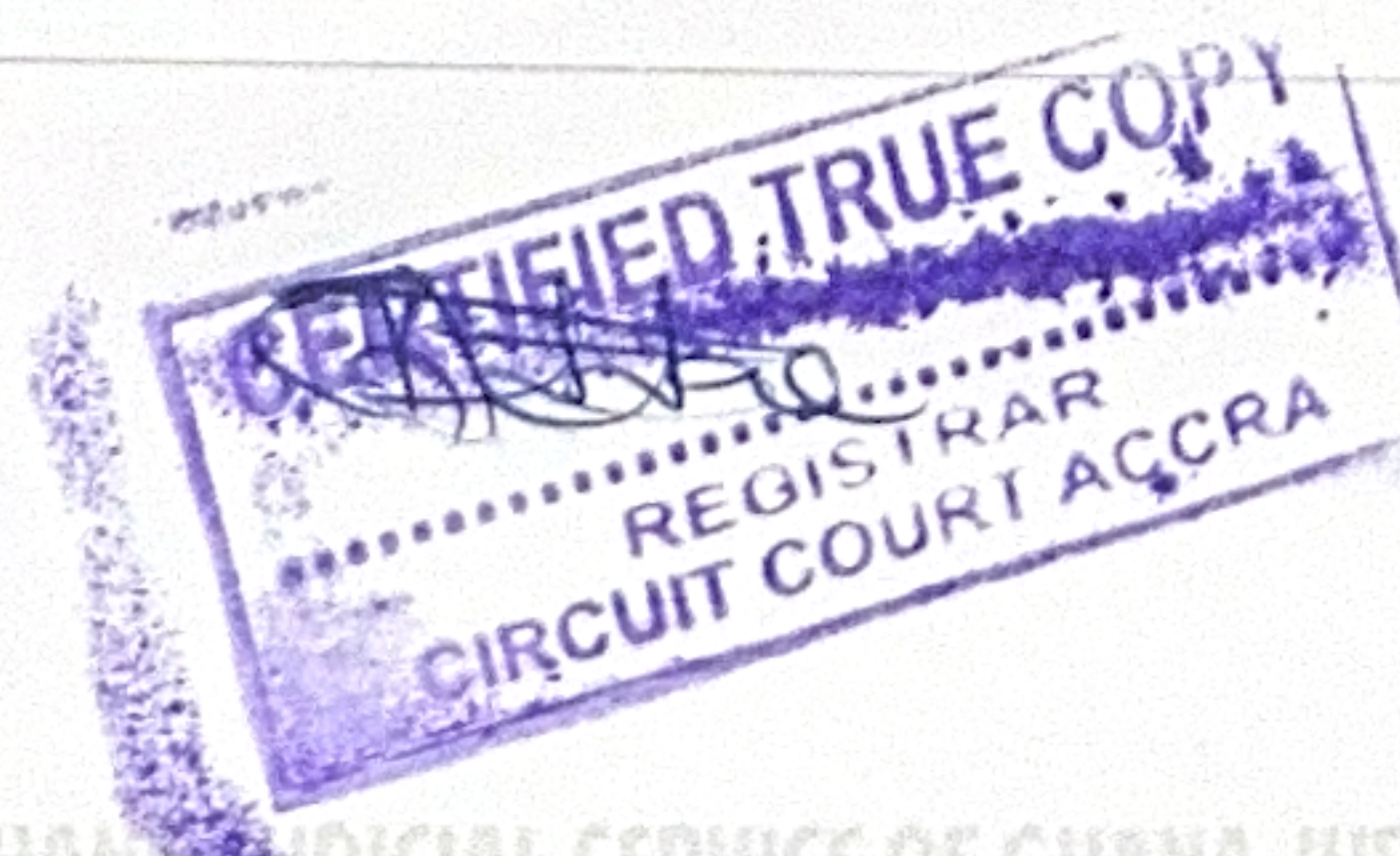
Without more, I shall resume my seat, suffice to say that my respected senior Godfred Dame be put on record.

PROSECUTION:

My lord respectfully, prosecution is strongly opposed to the grant of bail to the accused person. Before I come I would like to address some issues raised by the counsel for the accused person.

One on the fact that accused person was transported to court in a BLACK MARIA. The BLACK MARIA is a police vehicle used in the transportation of suspects and accused persons for their security and safety and so my lord, accused person is not the first person to be transported in this vehicle and it has nothing to do with him as a person.

My lord, he also raised an issue of police wanting to punish the accused person. It is on record that the accused person was



arraigned within 48 hours of his arrest and today a date given for him to be brought to court and we have brought him. This should tell everybody that his right is been protected according to the condition of this republic.

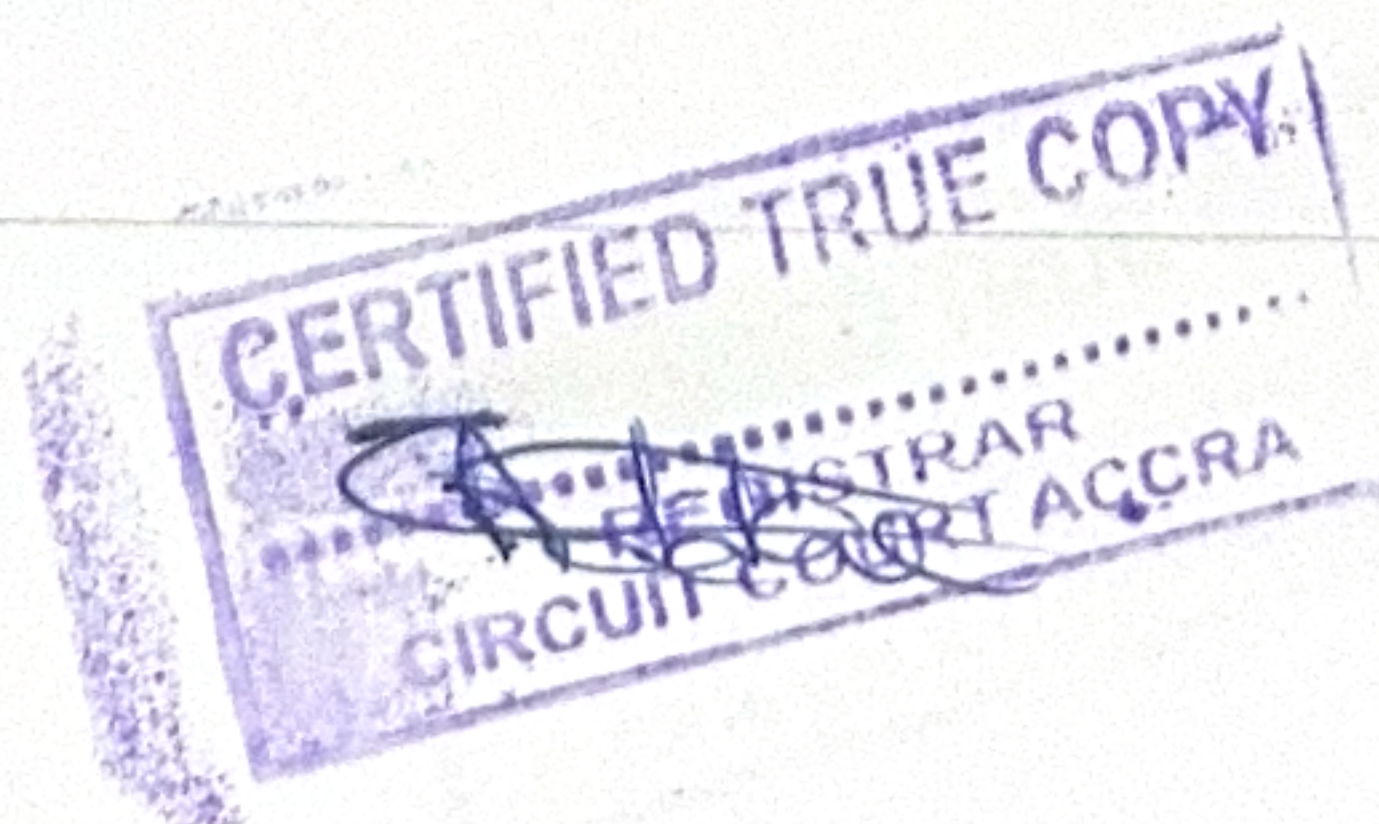
My lord again, counsel alluded that in the fact we have said that we have validated and verified the statement of the accused person and for that matter we have nothing to investigate again. That is not correct. This is one of the reasons why we pray this court today to remand the accused person into custody. During our investigation, we have chanced on strong intelligence in respect of accused person's activities and other videos which border on the security of this nation.

OBJECTION BY COUNSEL FOR ACCUSED PERSON:

My lord with respect the charge sheet has not been amended and then you are not even ready to prosecute the matter and that you have chanced on the videos and verified same and that the accused person should be remanded?

PROSECUTION:

It is very important to bring to your notice that we will need the accused person to assist police to thoroughly investigate these issues. The kind of intelligence gathered cannot be underestimated. My lord, counsel alluded in his submission that in West Africa where Ghana is the only peaceful country respectfully that is correct and my lord, activities like that of the accused person brought countries on their knees and have not recovered since and that is why we must guard jealously the security and peace of this country.



Respectfully, my lord the law allows you to deny the accused person bail. If he is released on bail, he will interfere with investigations. If his appearance before court is in doubt after the grant of bail, we are stating that the accused person if granted bail, will interfere with our investigations and my lord we are also saying that the accused person if granted bail, will not appear before you. He is a flight risk and this is based on his own letters that he wrote seeking ways to abscond from this country. The copy of the letter is here.

We pray that the accused person be remanded in to custody for two (2) weeks to enable police to conclusively investigate this matter and lord, amend the charge sheet if necessary As we speak, police is conducting forensic examination on the videos containing the activities of the accused person and my lord the intelligence agencies are all involved in properly analysing the videos.

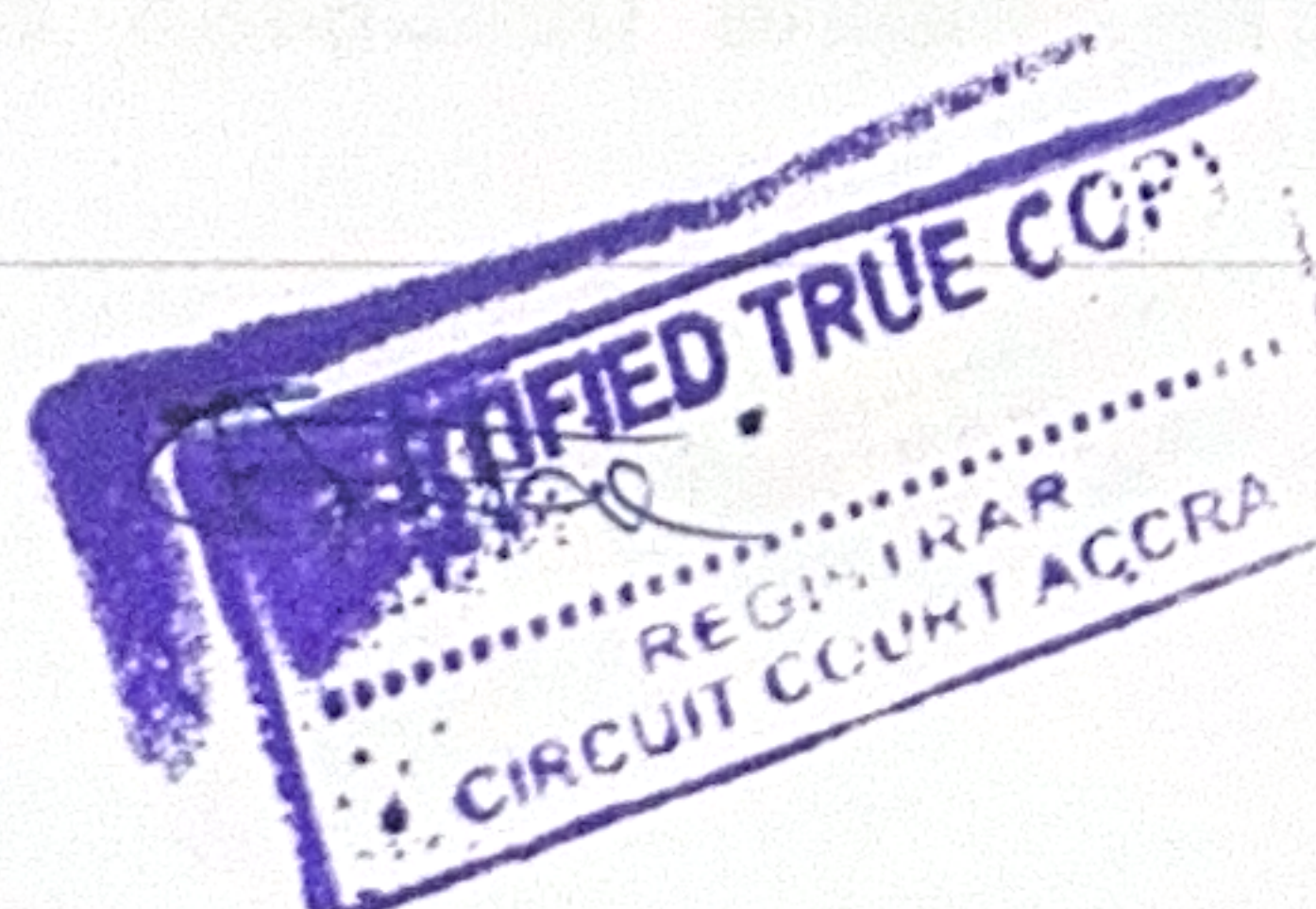
I humbly submit that my lord is not swayed by the emotions of counsel for the accused persons.

OBJECTION BY COUNSEL FOR THE ACCUSED PERSON:

His use of the words "not be swayed by emotions" should be withdrawn.

PROSECUTION: Counsel stated that he does not want to be emotional in this court. If they are offended by that, I withdraw.

I want to state that the right and freedom of the accused person does not supersede that of the security of the state and its citizens. So my lord, I pray that if all the above my lord should uphold our submissions and remand the accused person into custody.



COUNSEL FOR THE ACCUSED PERSON:

My lord, I want to take some few minutes of your time to respond on point of law starting with the Issue of bad faith, the conclusion of the facts. If you say you have done your forensic, then in opposing to bail application you say you have done forensic test and you have obtained evidence in your own words and you still come to court to oppose bail?. Even high treason offences are bailable.

From all that he said, he never quoted any single authority. Every single thing he says stands on stilt. There is no single authority to compel the court to uphold the submission. You threw him into NIB cells you varied my lord's terms of lawful custody on your own. We have not even raised the issue of contempt. They referred to a supposed letter where the accused person has written praying for asylum and conclude the man is a flight risk. Some of these submissions are worrying. To come to court and say somebody wrote a letter feeling unsafe is even a reason to grant him bail and he is safe in his country. Even if the letter was written prior to this matter, he should be assured of his safety which should be a reason that he does not need asylum in another country.

You ask for remand for three (3) days and send him to NIB in handcuffs and come back and say two (2) weeks. Bad faith is a point of law.

On authority, Sofo Azorka from the police themselves, He openly in a viral video threatened that "I will kill Afenyo Markin". A petition was sent and the police issued this, "Sofo Azorka arrested and granted bail to be presented to court on the 12th of September, 2025....."

Where there is no high-handedness, we see the law applied in a humane way. Someone has assaulted another and has been



granted bail by you. You cannot treat somebody highhandedly and another humanely. Basically, what he has said amounted to nothing to compel you deny him bail.

PROSECUTION:

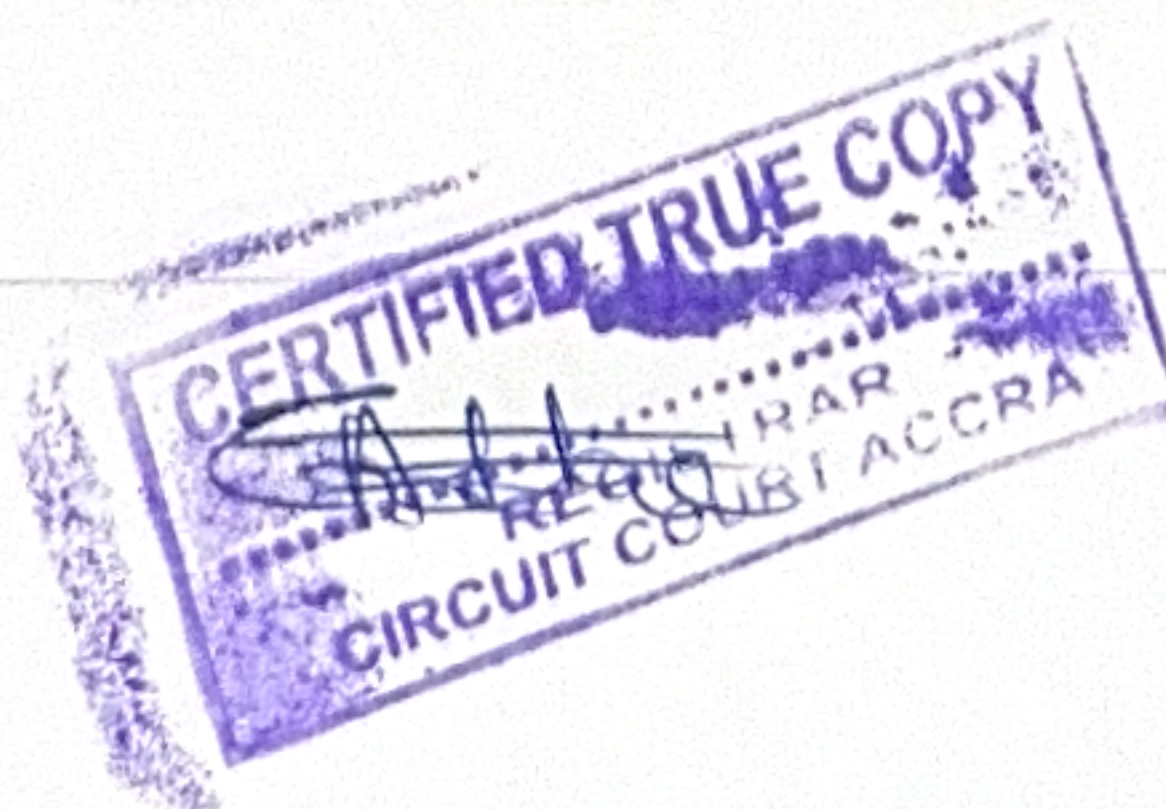
Respectfully, counsel stated that I did not quote any law during my submission. I stated that, the law emboldens you to deny the accused person bail if you believe the accused person will not avail himself or interfere with investigation per section 96 (5) (a) (b) of Act 30.

BY COURT:

Accused person before the court is facing two (2) charges of misdemeanours. However, in this instant case, the court will not look at only the charges being misdemeanour but will extend it to the position of the Inspector General of Police (IGP) to the country that is the head of the police service. The words which came from the accused person is likely to put the security of the nation into disrepute.

It is always said that all persons are equal but in practice, it is not so. Courtesy George Orwell in his book "The Animal Farm", one of the commandments is that all men are equal but some are equal than others. Translated into this case, all men are equal but some are more equal than others.

You can say anything to Mr A and Mr A will forgive you but say similar things to Mr B and Mr B will not forgive you. Hence freedom of expression in this county for that same freedom goes with restrictions.



If the citizens of Ghana do not set restrictions for themselves, then the court will do that for them

The late president Robert Mugabe of Zimbabwe once said that "I can assure you of freedom of speech but cannot assure you of freedom after speech". He was reminding us that no freedom is absolute but goes with restrictions.

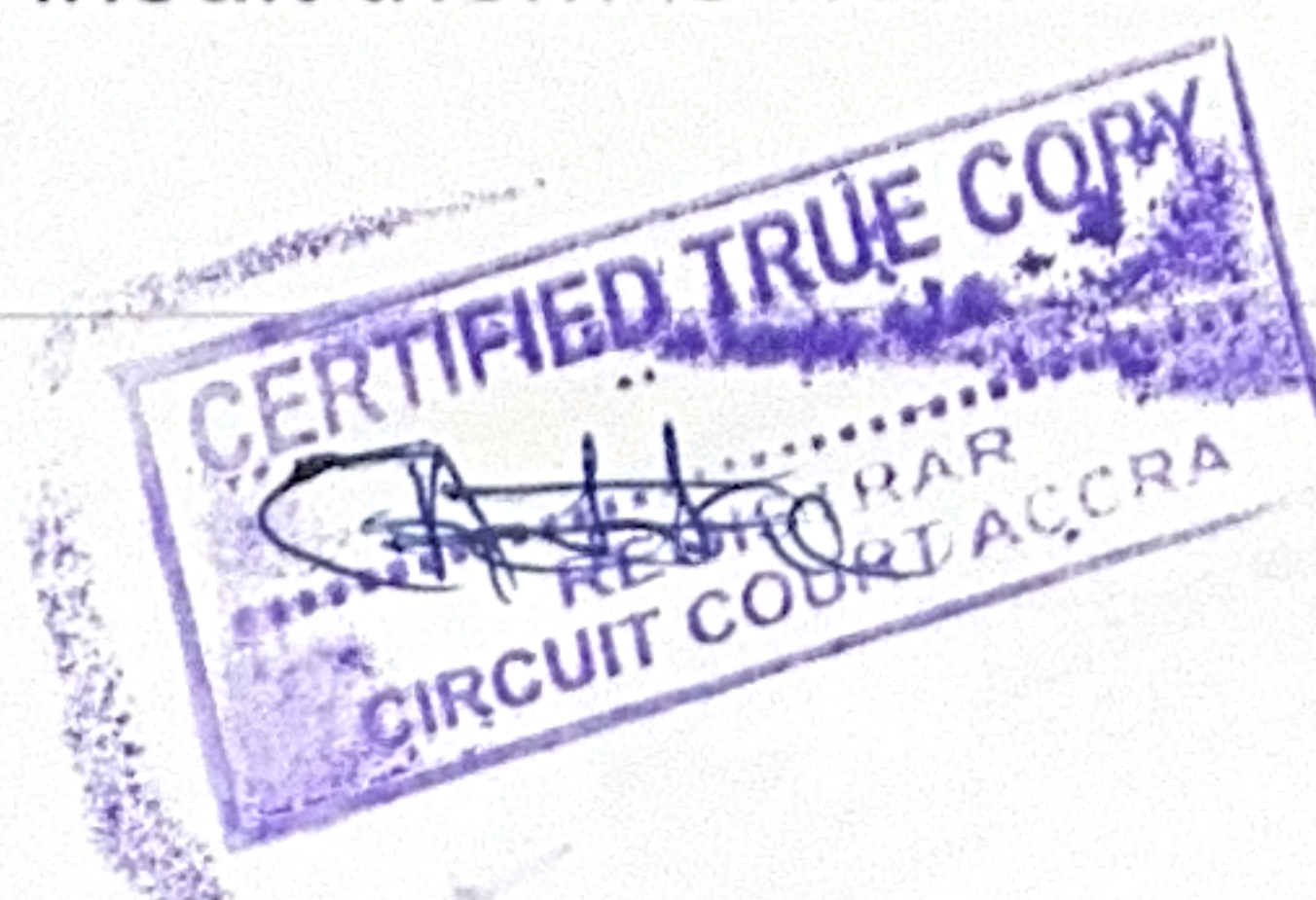
It is also said that your freedom or rights ends at where my nose begins. You can have your rights of freedom as you throw your hands above but, make sure it does not touch one other's nose. He also has the right to take you on. The Ghanaian society is of late polluted with insults which if not checked will put the security of the nation into disrepute or open the Pandora door for many people to also do same.

It is the wish of the court that all Ghanaians should try and prevent that insults from the society. One of the code of ethics for judges is that, their decisions should be consistent. I have a case before me the Rep v Raphael Okai Ankrah who appeared before me on 16th May 2023 and this was an NDC sympathizer who openly around where he stays insulted the then president his Excellency Nana Addo Dankwah Akufo Addo and was given 2 weeks remand just to cool down tempers.

And just about 2 or 3 weeks ago another matter from Circuit court 8 came before me Rep v Emmanuel Kwakye the journalist from Wontimi TV and he was also remanded for same 2 weeks.

So under 2 different regimes the court has been consistent and the court does not see why he should deviate from that consistency.

One can criticise policies, for example if IGP had introduced new policies into the police service any person can criticize same but picking up individuals and insult them is not the best. Hence 96 (5) (a) and (c).



Section 96 (5) (c): if the court thinks that there is a likelihood that the accused person will commit similar offence when he can be on bail, refuse him bail.

Section 96 (5) (a): if there is less likelihood that accused person may appear before the court the court can also refuse bail.

As the court said earlier all Ghanaians to come together and prevent this politics of insult from the society.

Political parties should also introduce policies that will check that politics of insults and take it out of our society. So if parties engage themselves in such acts and they cannot solve it by themselves and bring it to the court, it is the duty of the court to also play its role in wiping out that politics of insults from the society. The court therefore, remands the accused person into prison custody at nib, counsel may repeat his application on the next adjourned day

Adjourned to 19th September 2025.

COUNSEL FOR THE ACCUSED PERSON:

With respect, you have given your ruling and functus but my lord we pray that you vary the terms of your remand. We pray he should be in NIB police custody.

BY COURT: Granted as prayed. Accused person remanded in the NIB custody.

(SGD)

H/H SAMUEL BRIGHT ACQUAH
CIRCUIT COURT JUDGE

