1. A trial of indictment or information in a High court is really an elaboration or amplification of a summary trial at the magistrate court. It is not much different from the summary trial, except for the elaboration of certain procedures. The procedures from arraignment to imposition of sentence in a criminal trial in the high court are;
2. Arraignment
3. Plea of guilty
4. Plea of not guilty
5. Prosecution
6. Submission of ‘no case to answer’
7. Defense
8. Closing address
9. Judgement
10. Discharge
11. Sentence
12. Arraignment: This is the calling of an accused person formally before the court by name at the beginning of a criminal proceedings, to read to him the indictment to information brought against him and to ask him whether he pleads guilty or not. It means the registrar or the other officer of the court calling the accused by name while the accused is standing in the dock and reading over and explaining the charge or the information to the accused in a satisfactory way and asking the accused to make a plea thereto instantly. The is called arraignment of a person before a court.
13. Plea of guilty: where an accused person pleads guilty, the counsel for the prosecution will give the court a summary of the evidence together with details of the accused person’s background, that is, character and his criminal record, if any. After this the counsel for the defense usually makes his allocutus or plea in mitigation of the sentence and the court then passes its sentence. The case of Nwaebonyi v State
14. Plea of not guilty: This is a plea entered by a defendant in a criminal case denying blame for the charges brought against him. It means the defendant denies to having done one or more of the element contained in the offense or that you have a justified excuse for doing what you have done. It is a formal plea by the defendant of not being culpable for the crime with which the defendant is charged.
15. Prosecution: Following a plea of not guilty, the prosecution, usually a police officer in summary trials will open the prosecution’s case and call witnesses which usually includes the victim or complainant and any other number of persons as witnesses, who are then examined-in-chief, cross examined and re-examined as may be necessary. A witness may also tender any relevant exhibit which he has. The burden of proof which rests on the prosecution in a criminal proceeding is proof beyond reasonable doubt.
16. Defense: if a no case submission is rejected, the case or trial continues and the case for the defense opens. The accused person or his legal practitioner, that is, counsel, calls evidence for the defense usually the accused person and any number of witnesses he has to give evidence in chief, with the view to establish his innocence, or establish any defense or mitigating circumstances that may exist in his favour. They are in turn cross-examined by the prosecution who tries to confront them with the evidence in rebuttal. They may be re-examined by the defense and then the case for the defense will close.
17. Closing address: The prosecution and then the defense will address the court in turn, pointing out the weaknesses of the case for the other party and why it should fail and at the same time pointing out the strength of the case and why judgement should be given in favour of his party.
18. Judgement: The Magistrate may there and then decide to give hid judgement or to retire into chambers, sum up, deliberate or to consider the totality of evidence on both sides and return to the open court to give judgement. If the accused is found guilty, the magistrate will then enquire whether the accused person has any criminal record, to which the prosecution will supply an answer before sentence is passed.

There may or there may be no criminal record. A first offender does not have a criminal record. Next, before the judgement is announced, the accused or the counsel for the defense where there if legal representation, will make his alloctus, which is a speech in mitigation of sentence, asking the court to show mercy and saying why the court should not proceed to pass sentence on the accused or showing why the court should be lenient in sentence.

1. Discharge: when the accused has been found not guilty, the magistrate will dismiss the charge or charges and discharge and acquit the accused, depending on whether the discharge of the accused is on merit or not. A discharge on the merit usually leads to a discharge and acquittal of the accused on the charges. However, a discharge on a technicality or technical point only leads to a bare discharge, without an acquittal on the charges. In which case the Police may re-arrest the accused and press fresh charges, unless the court or another court orders that he should not be re-arrested.
2. Sentence: When an accused has been found guilty of a crime, a court under the Criminal Procedure Act or make one or more appropriate order a follows; imprisonment, fine, death sentence, canning, deportation, suspension, order of detention during the pleasure of the president or governor as the case may be, order for disposal of property, order for cost, award of damages and probation order.

**The remedy available to an accused person**

The only remedy available to an accused after the imposition of sentence is his right to appeal. His appeal may be as of right or must be with the leave or permission of the court. An appeal can be made to a higher court to change the sentence imposed on him or to ask for a retrial. However, a case handled in the supreme court cannot be appealed against because the decisions of the supreme court are final.

1. METHODS BY WHICH CIVIL PROCEDINGS MAY BE COMMENCED IN THE HIGH COURT
2. Consultation
3. Form of commencement
4. Appearance of parties
5. Stay of proceedings
6. Pleadings
7. Trial
8. Judgement
9. Enforcement
* Consultation

A party who has been wronged or is aggrieved and wishes to seek relief in a high court usually consult a lawyer for legal advice who usually takes down the facts of his case and instruction. If the matter is not urgent and does not need immediate action in court to forestall irreparable damage, the lawyer may as a first step write a letter of demand to the would be defendant demanding that a debt be paid, a wrong be put right or a monetary compensation be paid to his aggrieved client as the case may be, and giving a period of time for the demand to be met, failure of which action is thereafter filed, with or without giving further notice to the would be defendant.

* Form and Commencement of actions

An action may be commenced in the high court by a counsel filing one or a combination of the following papers or originating processes in court; Writ of summons, a statement of claim, and a petition.

A writ of summons when filed is sealed or stamped with the court’s name on it for services by a bailiff on the defendant to give him notice of the claim made against him and requiring him to acknowledge service and to defend it, if he does not admit the claim. A statement of claim may be filed along with the writ, or later on within 14days of the service of the writ on the defendant. In Lagos state, the writ of summons or originating process shall be accompanied by the statement of claim, list of witnesses, written statements, copies of every document to be relied on at the trial, written address in support of the action, so forth, otherwise it will not be accepted for filing at the registry.

* Appearance of parties

A defendant may acknowledge the service of a writ, and then enter appearance in the case by instructing his solicitor or counsel to file a memorandum of appearance, and then show up to defend it or settle the case as he may wish to do. However, when a defendant fails to enter appearance, within the time limited, the plaintiff, may by a motion on notice obtain interlocutory or final judgement against the defendant in default of appearance and or failure to defend the action.

* Stay proceedings

A court may order a stay, that is, a suspension of proceedings in an action temporarily. The court has an inherent jurisdiction to stay proceedings in a claim where; to proceed with an action is scandalous, frivolous and there is an abnormal use of court process or to proceed with the action would be improper and would amount to contempt of another court or the claim does not disclose a reasonable cause of action or where the defendant does not have a good defense.

* Pleadings

Pleadings are written statements of material facts a party is relying on for his claim, defense or reply in a suit, and which are filed and exchanged by the parties to a suit. A pleading is a comprehensive statement or narration of a party’s claim or case. Every pleading must state; Facts (that is every and all material facts that the party is relying on to establish his case), Statement in summary form, but without omitting necessary facts. A pleading must not state or set out law, but may raise an issue of law without reaching conclusions of law. Ideally, the pleadings should set out facts in a comprehensive but summary manner.

Where pleadings in a statement of claim are disputed, he must specifically deny the claims in his statement of defense. Each allegation of facts must be specifically admitted or denied.

* Trial

On the date for trial, the parties and their witnesses usually assemble in court for the trial. They come to court with the documents or any other thing required to be tendered as exhibit. Where a witness refuses to attend court, a subpoena may be issued on him to attend court. Witnesses who ignore the subpoena are in contempt of court for disobedience and may be punished. Where the defendant fails to attend court and is not represented by a counsel, or a reasonable excuse is not offered for the absence of the defendant and his counsel, and the plaintiff appears, the plaintiff may prove his case and obtain judgement. Where the plaintiff fails to appear and the defendant appears, the suit may be struck out, dismissed, or if the defendant has a counter-claim, he may prove it and judgement may be entered in favour of the defendant.

* Judgement

After the closing speeches or addresses of counsel, the judge sums up, that is, he considers the evidence given in the case and then gives judgement on the same day. Where a judge requires more time to consider the case, he may reserve judgement and adjourn the matter for judgement to a later date. On the judgement date, the judge then gives verdict stating the facts and legal issues in the case, explain the appropriate burden and standard of proof and states the basis of the judgement, and enters judgment in favour of the appropriate party and also makes such order as are relevant in the case provided that such orders were sought by such party.

* When judgement has been entered in the favour of a party, the judgement, declaration of rights, order of reinstatement, order of forfeiture, award of damages, offer of apology, and so forth, if not satisfied within the time limited by law, appealed against nor otherwise stayed, the plaintiff may enforce the judgement by one or a combination of the following; A writ of fifa, A charging order, A writ of Sequestration, Appointment of a receiver, A Garnishee order, Attachment of earnings in cases of judgment for payment of money.