

Boy confessed voluntarily, rules court

By CHEN MEI LING

KUALA LUMPUR: The High Court accepted the prosecution's contention yesterday that a 13-year-old boy's alleged confession to his tuition teacher - whose 11-year-old daughter he is accused of murdering - was made voluntarily.

Justice Ahmad Maarop said he was satisfied that the prosecution had proven beyond reasonable doubt that the statement "Sorry teacher, teacher sorry, sorry teacher, I don't know why I did it" made by the boy to his teacher over the telephone hours after the murder allegedly took place, had been made voluntarily.

"It is now up to the defence to decide if the boy should be called to testify," Justice Ahmad said.

He made the ruling after

hearing arguments from defence counsel Karpal Singh and Deputy Public Prosecutor Azhar Abdul Hamid at the end of the prosecution's case in the trial-within-a-trial to determine the admissibility of the boy's alleged statement as evidence.

Karpal Singh had, at the outset of yesterday's proceeding, applied for the trial-within-a-trial.

Justice Ahmad allowed the application and ordered the mini trial to go on, with the 42-year-old teacher taking the witness stand.

The alleged confession was brought up in the course of the woman's testimony in the boy's trial on Monday.

She testified that she had phoned the boy at his home to find out what had happened to her youngest daughter, who

was found lying in a pool of blood in the bathroom floor.

She said she had made the call after rushing her daughter to the Gleneagles Intan Medical Centre's emergency ward.

She said the boy, who had been attending her tuition classes since Year One, kept apologising to her.

The Form One student, who has been released on a RM50,000 bail since Aug 29, is charged with murdering the girl at her house here between 3.30pm and 4.30pm on May 30.

Following yesterday's ruling, Karpal Singh informed the court that he would take instructions from his client first before deciding on their next course of action.

The hearing continues today.