

INSIDE

Merger proposal

A High Court judge has suggested the unification of the Syariah and Civil Courts so Muslims won't have to commence separate actions to deal with matters such as adoption.

NATION, Page 4

BUSINESS

CI rises further

After almost a month of impressive gains, strong profit-taking emerged on the KLSE but it was well absorbed by bullish investors who pushed the Composite Index up a further 10.5 points to a new yearhigh of 646.9.

WEEKENDER



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252
DAYS TO JAN 1, 2000

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Valley View
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Water Power

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3 CLAIM TRIAL

Associates of Anwar plead not guilty to perjury charges

HAULED UP

Sukma, Mior and Azmin to be charged with giving false evidence



● FLASHBACK... Our Page One report yesterday

By DALILAH IBRAHIM and CHARANJEET KAUR

KUALA LUMPUR: Three men associated with Datuk Seri Anwar Ibrahim — Sukma Darmawan Sasmitaat Madja, Mohd Azmin Ali and Mior Abdul Razak Yahya — claimed trial yesterday to charges of perjury in separate Sessions Courts.

Sukma, Anwar's adopted brother, also claimed trial to charges of sodomising the former deputy prime minister's family driver Azizan Abu Bakar and to abetting Anwar in committing sodomy on Azizan at the Tivoli Villas in Bangsar one night in May 1992.

All three men, who were accompanied by their family and friends, were released on bail.

While Mohd Azmin (Anwar's former private secretary) and Mior (a fashion designer who has also designed for Datin Seri Dr Wan Azizah Ismail) were at the courthouse with their lawyers before 9am, Sukma turned up at 10am. The prosecution teams arrived a little later.

There was hardly any members of the public waiting to get into the courts but there were a few Federal Reserve Unit trucks across Jalan Raja at Dataran Merdeka.

At the end of the proceedings, Sukma and Mohd

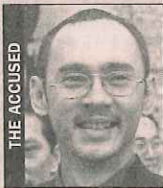
● TURN TO PAGE THREE

Sukma's case fixed for July

Accused: Sukma Darmawan Sasmita Madja
Court: Sessions Court 3
Judge: Mohd Zaki Abdul Wahab

Prosecution:
Senior DPP Mohd Yusof
Zainal Abiden
DPP Yaacob Mohd Sam
DPP Nordin Hassan
DPP Anselm Fernandes
DPP Dzulkifli Ahmad

Defence: Karpal Singh and Gobind Singh Deo



THE ACCUSED

THE CHARGES

First Charge (Abetment of Sodomy):

"That you on one night in the month of May 1992, at about 7.45, at Unit No. 10-7-2, Tivoli Villa, Jalan Medang Tanduk, Bangsar, abetted Datuk Seri Anwar Ibrahim in committing sodomy on Azizan Abu Bakar, thereby committing an offence punishable under Section 109 to be read together with Section 377B of the Penal Code."

Second Charge (Sodomy):

"That you, on one night in the month of May 1992 at about 7.45, at Unit No. 10-7-2, Tivoli Villa, Jalan Medang Tanduk, Bangsar, had with intention sodomised Azizan Abu Bakar thereby committing an offence under Section 377B of the Penal Code."

Third Charge (Perjury):

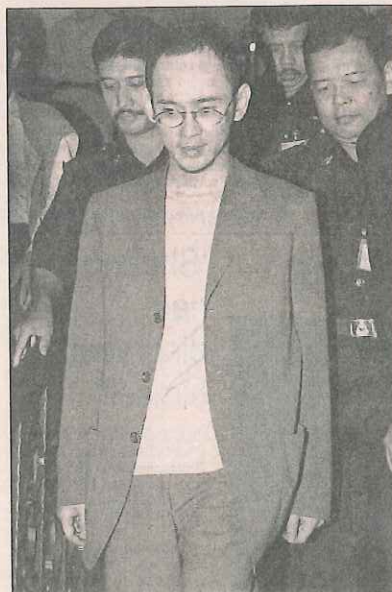
"That you on Dec 10, 1998, in the High Court of Malaya, Jalan Raja, had fabricated false evidence to be used in the judicial proceedings of a criminal application case No. 44-116-1998 (Sukma's appeal against his conviction of allowing Anwar to sodomise him), through an affidavit sworn by you on Dec 10, 1998, in which you made claims that you knew were untrue, specifically in paragraphs 13, 14 and 18, thereby committing an offence under Section 193 of the Penal Code."

(Summary of Sukma's claims - that the police had tortured and forced him to confess to a homosexual relationship with Anwar, threatened to detain him under the Internal Security Act by planting bullets in his car or house or shooting him with one bullet saying they only cost 45 sen each. He claimed the police said they would release him if he lied about a homosexual relationship with Anwar. He claimed he created stories to appease the police out of sheer terror and that he lied to magistrate Abdul Karim Abdul Jalil on Sept 17, 1998, about a homosexual relationship with Anwar to save himself from further degradation. He claimed he was compelled to falsely implicate Anwar out of extreme duress and infliction of pain.)

Hearing dates:

First and second charges relating to abetment of sodomy and sodomy have been transferred to the High Court. Mention date not fixed.

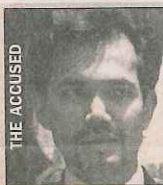
Third charge: July 5-10, July 12-16



THREE CHARGES... Sukma was released on total bail of RM30,000 and agreed to surrender his travel documents.

Accused:
Mior Abdul Razak Yahya
Court: Sessions Court 2
Judge:
Datuk Ahmadi Asnawi

Prosecution:
DPP Ahmad Rosli Mohd Sham
DPP Anselm Fernandes
Defence: Jerald Gomez



THE ACCUSED

THE CHARGE

The charge (perjury):

"That you, on Feb 8, 1999, at the office of the the Commissioner For Oaths at Suite 1.00, 6th Floor, Wisma Yakin, Jalan Masjid India, had fabricated false evidence, with the intention for it to be used in a High Court judicial proceedings in the case No. WPPJ 45-54-98 (sodomy charge against Anwar involving Mior), through a statutory declaration signed on February 8, 1999, where you said; 'I have never been sodomised by Datuk Seri Anwar Ibrahim,' when you knew the statement was untrue.

Therefore you had committed an offence under Section 193 of the Penal Code."

Hearing date: Aug 23-27, Sept 1-3, Sept 6-9.

● FROM PAGE ONE

Azmin left the premises as soon as they posted bail.

However, Mior, who had stayed to speak to reporters, said he was surprised with the police actions against him.

"I was arrested on Dec 19, 1998, and was detained for 107 days. I feel that injustice was done to me.

"I am sad with what has happened to me... My business has deteriorated since I was arrested. I'm pleading to (Datuk Seri) Dr Mahathir (Mohamed) to give me justice," he said.

In the proceedings against Sukma, 37, which commenced around 10am, Senior DPP Mohd Yusof Zainal Abiden prosecuted, assisted by DPPs Yaacob Mohd Sam, Nordin Hassan, Anselm Fernandes and Dzulkifli Ahmad.

Sukma, who was represented by Karpal Singh and Gobind Singh Deo, was released on total bail of RM30,000 for the three charges and agreed to surrender his travel documents to court.

However, Sukma's passport was handed to the High Court in January as it was a condition for his release two weeks before his six-month jail term ended (on another sodomy offence), pending his appeal against that conviction.

Judge Mohd Zaki Abdul Wahab also allowed the transfer of the two charges involving sodomy to the High Court, following an application by Mohd Yusof.

Earlier, Mohd Yusof had suggested bail of RM20,000 for the sodomy charges while DPP Yaacob recommended a bail of RM10,000 for the third charge of giving false evidence.

Karpal Singh did not object to the amounts.

To a question from Mohd Zaki, Yaacob said the prosecution would call 15 witnesses.

The case has been fixed for hearing from July 5 to 10 and 12 to 16.

In another court, Mohd Azmin, 37, was charged with giving false evidence

at Anwar's corruption trial.

He is accused of perjury with relation to his testimony when he told the High Court on March 9 that he had told a magistrate that he was cruelly threatened by police and forced to make admissions involving Anwar.

Mohd Azmin, who was accompanied by his wife Shamsidar Taharin and other family members, was represented by C.V. Prabhakaran, S.N. Nair and Pawancheek Marican.

Prosecuting are DPPs K. Muniandy, Ahmad Rosli Mohd Sham and Zauyah Be Loth Khan.

Although Prabhakaran did not object to Muniandy's suggestion that bail be set at RM10,000, he objected to Mohd Azmin having to surrender his passport.

"He is not likely to abscond because he is a citizen and his family is here," Prabhakaran said.

Judge Hamdan Indah then fixed bail at RM10,000 and did not order for his passport to be surrendered.

After Muniandy said that the prosecution would be calling 10 witnesses, the judge fixed hearing for five days from June 28.

In a third court, Mior, 32, was also charged under Section 193 of the Penal Code with making a false statement in a statutory declaration in relation to his suit against the police and the Government.

Mior pleaded not guilty to giving false evidence in his Feb 8 declaration in which he said he was never sodomised by Anwar.

He is alleged to have had the intention of using the declaration in the sodomy charge against Anwar, where the former deputy prime minister is accused of sodomising Mior at the PJ Hilton on Dec 3, 1992.

The charge was read three times by the court interpreter to Mior, who only gave his plea after asking for clarifications each time.

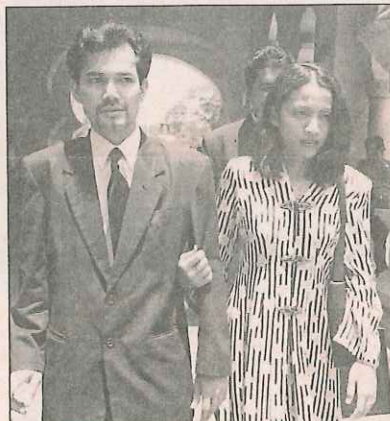
After his counsel Jerald Gomez pointed out that although the charge against Mior was for fabricating false evidence in his statutory declaration, the sanction for his prosecution stated that it was for giving false evidence in a judicial proceeding, DPP Ahmad Rosli Mohd Sham amended the wording in the sanction.

When Ahmad Rosli suggested a bail of RM10,000 and that Mior's passport be surrendered, Gomez argued that his client had not worked for several months since his arrest on Sept 19.

"He will also need his passport to go abroad since his clients include the Brunei royal family," Gomez said.

Ahmad Rosli replied that Mior could apply for the release of his passport whenever he needed it.

Judge Ahmadi Asnawi set bail at RM8,000 and ordered Mior to surrender his passport.



ON BAIL... Mior and his companion Zalia Rohani leaving the courthouse after pleading not guilty to giving false evidence yesterday.

Accused: Mohd Azmin Ali
Court: Sessions Court 4
Judge: Hamdan Indah

Prosecution:
DPP K. Muniandy
DPP Ahmad Rosli Mohd Sham
DPP Zauyah Be Loth Khan
Defence:
C. V. Prabhakaran, S. N. Nair and Pawancheek Marican



THE ACCUSED

THE CHARGE

The Charge (Perjury):

"That you, on March 9, 1999, at High Court 3 (Criminal) Kuala Lumpur, Jalan Raja, had given false evidence in the trial proceedings of the cases No. WPPJ 45-48 and 49-98 (Anwar's corruption trial) where you uttered the following words:

"DW14: I told the magistrate why my detention should not be extended. (This is) because police action and threats while in (I was in) custody were very cruel and forced me to make admissions involving Saudara Anwar."

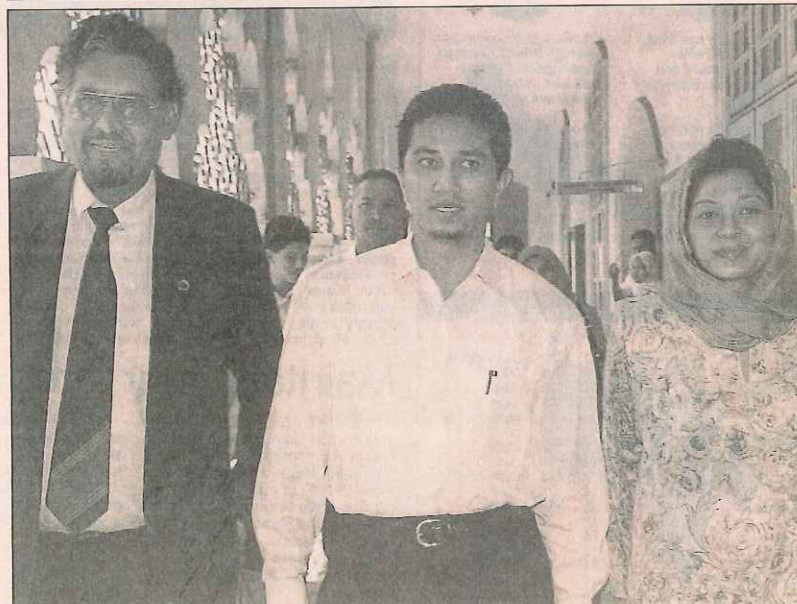
Therefore you had committed an offence under Section 193 of the Penal Code."

Hearing date: June 28 - July 2.

Section 193 of the Penal Code carries a maximum seven years' jail and shall be liable to a fine, upon conviction of perjury.

Section 377B of the Penal Code carries a maximum 20 years' jail and shall be liable to whipping, upon conviction, of sodomy.

Section 109 (relating to abetment of an offence) read together with 377B carries the same sentence provided for Section 377B, upon conviction.



CHARGED... Mohd Azmin making his way to the courtroom accompanied by Shamsidar and Prabhakaran yesterday.