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Counsel: No criminal offences committed in confiscation of logs

TAWAU, Thurs. - There was no element of criminality in connection with the logs seized by the Forestry Department in waters near Sebatik Island on Jan 18, a magistrate's court was told today.

Senior Federal Counsel Nurchaya Arshad said police investigation into the matter had been completed and they found that no criminal offences were committed.

Nurchaya, who was assisted by Deputy Public Prosecutor Zahir Shah, applied to the court for the 3,307 logs to be disposed of in accordance with section 413 of the Criminal Procedure Code.

She made the application on the grounds that the police had no facilities to keep the exhibits for a prolonged period as they were perishable and the owner could be traced.

Nurchaya also applied to have two tugboats, two barges and a crane to be disposed of in accordance with section 413 of the CPC.

She said Syarikat Raspond was the only claimant to the logs and the other exhibits and applied for an inquiry to be held to determine who was entitled to the possession of the exhibits and for the police to assist in the inquiry.

Counsel Sugumar Balakrishnan (assisted by Poh Ping), representing Syarikat Raspond, sought for an early date for the inquiry.

Sugumar also said he had no objection to the police assisting in the inquiry.

Magistrate Egusra Ali fixed March 31 and April 1 for the inquiry.

Meanwhile, it is not known whether the Anti-Corruption Agency had completed its investigations.

Nurchaya had, when asked about the ACA investigation yesterday, said that she could not speak on behalf of the ACA.

Police started an investigation into the case after the Forestry Department, suspecting criminality, lodged two separate reports, while the ACA began its investigation following a directive by Deputy Prime Minister Datuk Seri Anwar Ibrahim.

A five-member police team headed by State CID chief Senior Assistant Commissioner II Mazlan Tyan was formed to investigate the case.

In their course of investigation, the team questioned several officers of the Forestry Department, Customs and Excise Department, Police Field Force and the marine police.

The State Government also formed a committee, headed by Deputy Chief Minister Datuk Abdul Ghapur Salleh to investigate the matter.

The committee had already completed its investigation and submitted its report to Prime Minister Datuk Seri Dr Mahathir Mohamad and Anwar.

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