

20 AUG 1999

Court-Anwar (Musa)

I DIDN'T KNOW AZIZAN WENT TO SEE DR MAHATHIR- MUSA

KUALA LUMPUR, Aug 20 (Bernama) -- The police officer who investigated Datuk Seri Anwar Ibrahim's alleged homosexual activities told the High Court here today he did not know that the man who accused Anwar of sodomising him had reported the matter to the Prime Minister.

SAC I Musa Hassan said he only knew about it from newspaper reports he read last year.

However, after conducting investigations into the allegation, he found out that the man, Azizan Abu Bakar, had also sent a statutory declaration to the Prime Minister relating to the matter.

Musa was testifying against former deputy prime minister and former finance minister Datuk Seri Anwar Ibrahim, 52, and his adopted brother, Sukma Darmawan Sasmitaat Madja, 38, who are separately charged but jointly tried of sodomising Azizan, a former driver of Anwar's wife, Datin Seri Dr Wan Azizah Ismail.

The offences are alleged to have been committed at Sukma's apartment at 10-7-2, Tivoli Villa, Jalan Medang Tanduk, Bangsar here about 7.45pm between January and March, 1993.

Sukma, a businessman, faces another charge of abetting Anwar in committing the offence at the same place and time.

Cross-examined by Anwar's defence counsel, Karpal Singh, Musa said it did not cross his mind to ask Azizan why he went to see the Prime Minister, adding that Azizan whose statement was twice recorded by him never mentioned anything about that meeting, to him.

Asked whether any statement was taken from Dr Mahathir, Musa said he did not know.

He however agreed with Karpal that normally a statement would be recorded from the person whose name was mentioned by a principal witness such as Azizan.

"In this case was any statement taken from the Prime Minister," asked Karpal, to which the witness replied: "I wouldn't know".

Musa admitted that he had read newspaper reports which quoted Dr Mahathir as saying that he (Dr Mahathir) had interviewed certain witnesses regarding the allegation.

Karpal: Was the Prime Minister interviewed or was there a statement recorded from him?

Musa: No.

Musa said he also did not know whether Azizan had gone to see the Prime Minister first (over the matter) before going to the police.

He agreed with counsel that normally, in sexual-offence cases, the first complaint made to anyone was very material to the case.

Musa also said that throughout his investigations, Azizan had never mentioned Datuk Megat Junid Megat Ayub's name to him. (Megat Junid is the Domestic Trade and Consumer Affairs Minister).

"His second wife, Ziela (Norzila Jalil), the actress, was her name mentioned by Azizan," asked Karpal.

"Not by Azizan," Musa said, adding that Norzila's statement was taken by the police.

To another question by Karpal, Musa said although he knew that Tan Sri

Rahim Noor, the former Inspector-General of Police, had made media statements pertaining to the case, he did not know on what basis they were made.

Rahim, he said, was never involved in the investigation of the case.

Re-examined by Senior Deputy Public Prosecutor Abdul Gani Patail, Musa agreed that the media reports which quoted Dr Mahathir as saying that "the allegation against Anwar was an attempt to sabotage him (Anwar)..." was based on a report submitted to the Prime Minister by the Special Branch and not from investigations carried out thereafter.

He said the statement taken from Norzila was pertaining to Anwar's previous corruption case and not for the present case.

Earlier, judge Datuk Arifin Jaka ordered for the continuation of the cross-examination on Musa after making "an observation" that the prosecution would be at fault if they chose not to verify the alibi which their witness had readily agreed to investigate.

He said: "It is the court's observation that if the recording (of Anwar's movement) does not amount to verification, it is the prosecution's own funeral and the advantage is on the defence."

"In fact, if accept the alibi, it's finish for them (the prosecution)," said Arifin.

Yesterday morning, Karpal, who was cross-examining Musa, applied to have the trial adjourned to enable Musa to investigate into the truth of the defence alibi after Musa pledged his readiness to do so. The hearing was then adjourned to 2.30pm.

After court resumed hearing in the evening, Attorney-General Tan Sri Mohtar Abdullah, who is leading the prosecution team, told the court that he had advised Musa against conducting the investigation as the prosecution already had records pertaining to Anwar's movements between 1992 and September, 1998.

Karpal then asked for the adjournment of the case to today, saying he needed time to look for authorities to support his application.

However, this morning, the counsel did not raise any authorities. Instead, he asked Arifin to decide whether it was proper for Musa to "go against his own words which was made under oath" -- by not pursuing the investigation.

"For anyone wants to induce this witness to do otherwise is an obstruction and frustration of the administration of justice," Karpal said, obviously referring to Mohtar's advise to Musa.

Mohtar, objecting to Karpal's "insinuation", reiterated that the prosecution had all the records of Anwar's movements and that was sufficient to counter the defence.

"If the 10 (investigating officers) do not verify, then your alibi is good for you. I think we proceed with the cross-examination," said Arifin.

-- BERNAMA

RA AAM