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Court-Anwar (Ruling)

JUDGE ORDERS FOR RESTRAINT ON COMMENT ON ANWAR'S SODOMY CASE

KUALA LUMPUR, Oct 7 (Bernama) -- The High Court here want "everybody" to restrain themselves from talking about the alleged sodomy by former deputy prime minister Datuk Seri Anwar Ibrahim because that is an issue to be determined by the court.

"I only hope that those in power ... the less said the better. Comments made should avoid as far as possible on issues that are being tried in the present proceeding," Judge Datuk Arifin Jaka said.

He said the question of sodomy alleged to have been committed by Anwar should not be referred as this very issue was to be determined by the court.

Arifin made the ruling after defence counsel Karpal Singh had applied to the court for the appearance of Prime Minister Datuk Seri Dr Mahathir Mohamad, Transport Minister Datuk Seri Dr Ling Liong Sik, Education Minister Datuk Seri Najib Tun Razak and Rural Development Minister Datuk Annuar Musa for their statements regarding the court case.

"I want to stress that if the comments made are contemptuous, those responsible should face the consequences in the event that action is taken against them," the judge said.

"Restraint is best to avoid unnecessary aspersions on the issue and to avoid misconception that the court licenses anybody to comment on the proceeding," Arifin said.

At the outset of the trial, Karpal, in his application, said the prime minister had made certain allegations against him which he heard on TV3's and RTM's prime news bulletins with his son Gobind Singh Deo, who is representing another accused person Sukma Darmawan Sasmitaat Madja in the sodomy case.

Karpal said the prime minister was saying that he was taking legal action against him (Karpal) for libel and this he (Karpal) considered as a threat.

At a Press conference on his return from overseas yesterday, Dr Mahathir said that the government would look into the libellous statements of lawyer Karpal Singh who alleged in court that the government had poisoned Anwar.

Karpal said: "Any threat by anyone, however high, to counsel in relations to what he said in court amounted to a serious contempt of court. That seriousness is further compounded by the fact that it comes from the prime minister himself."

Karpal also said the prime minister had repeated the allegation that Anwar is a homosexual who pretended to be a religious person.

"This also amounted to contempt of court," he said.

Arifin told Karpal to take separate proceeding against them, saying that "this court is not the proper forum to hear the matter".

To this, Karpal replied that the court has the inherent jurisdiction to issue show cause notice to them even if the statements were not made in the face of the court.

Judge: "If I were to entertain oral application like this, this will delay the proceeding. I will make this ruling. You can go ahead and cite them for contempt. Make it a proper forum. Neither do I stop you (from applying to cite them for contempt)."

-- BERNAMA
SBB AHH RYN

