

24/05/2000

Anwar files his grounds of appeal

KUALA LUMPUR, Tues. - Datuk Seri Anwar Ibrahim today filed his grounds of appeal against the High Court's decision not to call Prime Minister Datuk Seri Dr Mahathir Mohamad as a defence witness in his sodomy trial.

The petition of appeal was filed at the Court of Appeal registry by the legal firm of S.N. Nair & Partners which also filed a certificate of urgency for an early hearing.

The notice of appeal was filed on April 26.

The High Court had on April 21 set aside a subpoena issued to Dr Mahathir on the grounds that the Prime Minister's intended evidence would be irrelevant.

The sodomy trial has been postponed pending the disposal of the appeal.

Among the grounds filed by Anwar are that:

- * the judge was wrong in invoking the Evidence Act to set aside the subpoena when Dr Mahathir himself had not challenged it;
- * the judge had contravened the Federal Constitution when he allowed the prosecution's application to invoke the Evidence Act; and
- * the judge was wrong in refusing the defence application to refer the issue to the Federal Court.

He further said the judge was wrong in finding that Dr Mahathir would not be able to give any relevant evidence to assist the defence.

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