

29/04/2000

Anwar trial to proceed only on evidence of alibi

KUALA LUMPUR, Fri. - The High Court today ordered the hearing of Datuk Seri Anwar Ibrahim's sodomy trial to proceed in spite of a stay of proceedings granted last week.

The stay is pending appeal against the setting aside of a subpoena on Prime Minister Datuk Seri Dr Mahathir Mohamad obtained by the defence.

Judge Datuk Arifin Jaka said the continuation of the trial would be only in respect of evidence on alibi which the defence would be adducing irrespective of the outcome of the appeal.

He said he did not wish to delay the trial as it might take some time before the appeal was disposed of.

Arifin then fixed the case for mention on Thursday.

He also ordered lawyer Wong Khian Keong, who was holding a watching brief for Penang Chief Minister Tan Sri Dr Koh Tsu Koon, to sort out with the defence who should tender the documents relating to the alibi.

(Koh was subpoenaed by co-accused businessman Sukma Darmawan Sasmitaat Madja.)

Arifin made the ruling after hearing submissions by Anwar's counsel Karpal Singh, Sukma's counsel Gobind Singh Deo and Senior Deputy Public Prosecutor Datuk Abdul Gani Patail.

Last Friday, Arifin had ruled that Dr Mahathir need not testify for the defence and set aside a subpoena issued on him.

The judge subsequently allowed the defence's application for a stay of proceedings pending appeal against the ruling. The notice of appeal was filed on Wednesday.

Anwar and Sukma, who is his adopted brother, are charged with sodomising former driver Azizan Abu Bakar at the Tivoli Villas apartment between January and March 1993.

Sukma is also facing a second charge of abetting Anwar in sodomising Azizan at the same time and place.

Azizan is the former driver of Anwar's wife Datin Seri Dr Wan Azizah Wan Ismail.

(END)