

18 FEB 2000

Court-Anwar (Mahathir)

JUDGE ADVISES PM NOT TO COMMENT ON SUBPOENA

KUALA LUMPUR, Feb 18 (Bernama) -- Justice Datuk Arifin Jaka today advised Prime Minister Datuk Seri Dr Mahathir Mohamad not to make further comments on the subpoena issued to him to appear as a witness in the sodomy trial of his former deputy.

"I have been saying time and again in the course of the trial that nobody, for that matter, be it the ministers or politicians, should be commenting on this ongoing case, but comments are still being made.

"In respect of the subpoena that has been issued and served on Dr Mahathir, the less comments made on this, the better. The very issue of whether it is relevant or not is yet to be decided by this court.

"I hope there will be no further comments from him (Dr Mahathir) on this issue", Arifin said.

He made the remarks after Karpal Singh, the defence counsel of Datuk Seri Anwar Ibrahim, drew the court's attention to the prime minister's statement on the matter which was reported by the local newspapers today.

Dr Mahathir had said that he thought it unnecessary for him to be called as a witness in the trial as all the evidence had already been given but he would appear in court if required.

Arifin agreed with Karpal Singh that such comments, which infringed upon the merit of the trial and might amount to contempt of court, should be stopped.

Senior deputy public prosecutor Datuk Abdul Gani Patail also agreed, saying that it was not proper for "anybody including myself, the prime minister and all the lawyers" to be talking to the press at all, touching on matters concerning the case.

He said: "Reporters came to us and kept pressing...the press should refrain from going up to the prime minister and asking him to comment on the case."

Anwar, 52, and his adopted brother, Sukma Darmawan Sasmitaat Madja, 39, are separately charged with sodomising Azizan Abu Bakar, 39, at Sukma's apartment in Tivoli Villa, Bangsar here at 7.45pm, between January and March, 1993.

Sukma, a businessman, faces another charge of abetting Anwar in sodomising Azizan, the former driver of Anwar's wife, Datin Seri Dr Wan Azizah Wan Ismail, at the same time and place.

He applied to the court in October last year to subpoena Dr Mahathir to appear as his witness in his personal capacity and Anwar did likewise yesterday.

Hearing continues on Monday.

-- BERNAMA

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