

25 JUL 2001

Court-Anwar

ANWAR FILES PETITION OF APPEAL AGAINST JUDGMENT IN SODOMY CASE

KUALA LUMPUR, July 25 (Bernama) -- Datuk Seri Anwar Ibrahim today filed a petition of appeal against the High Court decision convicting and sentencing him to nine years' jail for sodomy.

The petition, containing 24 grounds, was filed by Messrs S.N.Nair and Partners at the Court of Appeal registry here at about 10.30am.

Anwar, the former deputy prime minister, is appealing against Justice Datuk Arifin Jaka's judgment dated Aug 8 last year which found him guilty of sodomising his former family driver, Azizan Abu Bakar, at his adopted brother's apartment in Tivoli Villa, Bangsar, here, at 7.45pm between January and March 1993.

Anwar's adopted brother, Sukma Darmawan Sasmitaat Madja, 39, a businessman, who was jointly tried with him, was sentenced to six years' jail with four strokes of caning.

The judge, however, spared Anwar, 53, who was also the former finance minister, the cane which is limited to those aged 49 years and below.

The petition, among others, stated that Arifin had erred in law and in fact in calling Anwar to enter his defence at the end of the prosecution's case when the prosecution had failed to adduce the primary evidence required to support the sodomy charge.

Anwar claimed that the judge erred in law and in fact in holding that Azizan was a credible, reliable and trustworthy witness despite the overwhelming evidence to the contrary.

He also claimed that he was deprived of a fair and reasonable opportunity to further discredit the evidence of the prosecution's witnesses after the judge rejected his application to call Prime Minister Datuk Seri Dr Mahathir Mohamad as a witness in the sodomy trial.

Anwar also filed another petition of appeal against Arifin's dismissal of his application to throw out the sodomy charge.

He claimed that the judge had erred in law and in fact when Arifin outrightly rejected his (Anwar's) affidavit which alluded to several acts of mala fide, without even hearing the application.

Meanwhile, Sukma's counsel, Gobind Singh Deo, said Sukma would be filing a similar petition against his conviction and sentence for sodomy tomorrow.

-- BERNAMA

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