

28/12/2001

12 apologise to King and PM

Satwant Singh

KUALA LUMPUR, Thurs. - Twelve of the 19 Al-Ma'unah members, who were found guilty by the High Court of waging war against the Yang di-Pertuan Agong, mitigated today, with some of them apologising to the King for their actions.

Some of them also apologised to the Prime Minister Datuk Seri Dr Mahathir Mohamad, the Government, the security forces and the public.

Ten mitigated through their counsel while two others choose to mitigate on their own.

They urged the court to impose a natural life imprisonment instead of the death penalty.

The other seven members of the group will mitigate tomorrow.

Today, eight members apologised to the King.

They were Zahit Muslim, Jamaludin Darus, Ibrahim Dris, Jemari Jusoh, Mohamad Faudzi Hamdan, Nasruddin Mohd Jailani, Ahmad Sarkawi Sulong, Zainal Mohd Jailani.

In mitigation, lawyer Karpal Singh, for group leader Mohd Amin Mohd Razali, said this was the first case of its kind, where 19 people were convicted for an offence of waging war against the King.

Karpal, who described natural life imprisonment as "living death", said Indian cases on similar offences showed the death penalty was only imposed in the "rarest of the rare".

"This case is not the rarest of the rare."

He added that despite Amin's role of being the leader and findings of the court, it did not warrant a death penalty.

Karpal said Amin was in the army for six years, was married and had four young children.

Counsel Kamarul Hisham Kamaruddin, who mitigated for Idris Anas, said the death penalty was not justified for his client, who is married and had five children.

He said Idris did not run away from Bukit Jenalik as he was afraid of being shot at by Amin or by the security personnel who had surrounded the area then.

"He (Idris) joined Al-Ma'unah for a noble purpose. He may have been misguided, but it was for a noble cause," he said, adding Idris had also taught children religious lessons.

Lawyer Syed Azimal Syed Abu Bakar, for Kamarudin Mustafar, said his client was previously an inspector with Petronas.

Kamarudin, he said, is married and has seven children.

He said Kamarudin was the sole bread winner of his family and he also supported his aged mother, while his father died during the trial.

Counsel Rizal Chek Hashim, representing Abdul Ghani Ali @ Ahmad, said his client, who worked as a lecturer, has two children and was the sole breadwinner of his family.

"His role was superficial and limited to (being) a follower," he said.

Rizal said Abdul Ghani regreted the incident and there was no evidence to show that he was involved in any of the planning.

Lawyer Zabidi Mohamed said his client Zahit, who has seven children, had served the police for 10 years with a clean record.

Jamaludin, who has two schooling children, said he never fired a shot at Bukit Jenalik and was still attached to the armed forces at the time of the incident.

He had then already served the armed forces for 20 years with an unblemished record, he added.

Another accused, Ibrahim, who broke down during his mitigation, said he only entered the group about one month and three weeks before the incident. He has six children.

"There is nothing that I gained from (joining) Al-Ma'unah," said Ibrahim. He also said he had a clean record throughout his service with the armed forces.

Lawyer Zamani Ibrahim, who appeared for Jemari, a driver, said his client was remorseful.

"Public interest would best be served if the accused is given a second chance by imposing life imprisonment," he said, urging the court to "tamper justice with mercy."

Counsel Zulkarnain Lukman said his clients, Mohd Faudzi, Ahmad Sarkawi and brothers Nasarudin and Zainal, had no important positions in the group and were not involved in any of the planning.

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