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Court-Buniyamin

PROSECUTION NOT DECIDED TO SUBPOENA DR M IN BUNIYAMIN'S TRIAL

KOTA BAHARU, Nov 5 (Bernama) -- The prosecution has not decided whether to call Datuk Seri Dr Mahathir Mohamad as a witness to testify in the trial of Kelantan PAS Information Officer Buniyamin Yaacob who is charged with slandering the Prime Minister to watching pornographic video with his grandchildren.

Deputy Public Prosecutor Nordin Hassan told the Sessions Court here today that the question of calling Dr Mahathir to testify did not arise at this point.

"Let the prosecution establish a prima facie case at the end of the hearing," he said when replying to counsel Karpal Singh on whether Dr Mahathir would be called as a witness to prove that he made the statement as was published in an article with the heading "Masyarakat bimbang" (The People Are Worried) in Berita Minggu on July 15, 2001.

Dr Mahathir, among others, was reported to have said: "In fact, we find that the distribution of pornographic materials are widespread now and children are also having such materials. This I came to know from my grandchildren, they told me what they saw.

"I was shocked how even in kindergartens they can get such things," Dr Mahathir was reported to have said.

The article was read out by Berita Harian reporter Kadir Dikoh when testifying as the second witness in the trial which began today.

Buniyamin, 56, who appeared unwell and was seated in the dock with a walking stick, is charged with making the allegation in a ceramah at the Kelantan Islamic Centre here between 10am and 11.30am on March 15.

In the charge, it was stated that he had reasons to believe the allegation would tarnish the image of Dr Mahathir.

Buniyamin, who is the former MP for Bachok, is charged under Section 500 of the Penal Code, which carries a jail term of up to two years or a fine or both, upon conviction.

Nordin said the prosecution would determine the witnesses to be subpoenaed to give evidence in the case.

Kadir, 42, testified that he gathered the news on Dr Mahathir's speech during the 2002 Pre-Budget Dialogue session in Putrajaya on July 14, 2001.

He said what was reported in the article was what Dr Mahathir actually said.

He said there was no request to correct the article after it was published in Berita Minggu.

Besides writing down in the notebook, Dr Mahathir's speech was also recorded in the cassette tape, he said.

Earlier, first witness, Kamarul Bahrin Awang, 37, said he lodged a police report on July 30, 2002 against Buniyamin for accusing Dr Mahathir of watching pornographic video with his grandchildren.

Kamarul Bahrin, an agriculture assistant with the Kemubu Agricultural Development Authority (KADA), said he lodged the report without being directed by anyone.

The hearing, however, came to an abrupt end when the third witness, Zainuddin Ayip, who is the Editor of Berita Minggu, was about to testify as Buniyamin's health condition deteriorated.

Judge Azman Abdullah then fixed Dec 28 to 31 to resume hearing.

Nordin was assisted by Deputy Public Prosecutor Azmi Ariffin and Dzulkifli Ahmad while Karpal by Ramkarpal Singh.

Wan Jawahir Harun is holding a watching brief for Kelantan PAS.

-- BERNAMA

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