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Strike out ISA detainees' bid for release, court urged

KUALA LUMPUR, Mon. - The High Court was today urged to strike out an application by eight people held under the Internal Security Act for a declaration that their arrest and detention was illegal, unlawful and a nullity on the grounds that it was not made according to procedures.

Deputy public prosecutor Abdul Wahab Mohamad said the applicants had failed to stipulate any of the relevant provisions of the law under which the declaration was sought.

Wahab, appearing with DPPs Wong Chiang Kiat and Muhammad Anas Mahathir for the respondents - the Inspector-General of Police, the Home Minister and the Government - was submitting at the hearing of an application for habeas corpus by the eight detainees.

They were arrested and detained between Dec 29, 2001 and Dec 14, 2002.

The declaration is among the relief sought in the application.

On the IGP being named as a respondent, Wahab said he (the IGP) had nothing to do with the detention of the applicants since their detention orders were signed by the second respondent - the Home Minister - under section 8(1) of the Act.

The detainees are Abdul Razak Baharudin, Mat Sah Mohd Satray, Mohd Sha Sarijan, Abdullah Mohamed Noor, Nordin Ahmad, Abdul Murad Sudin, Abdullah Minyak Silam and Shamsuddin Sulaiman.

Razak was detained on Dec 29, 2001, Mat Sah on April 18, 2002, Mohd Sha on Dec 29, 2001, Abdullah on Dec 14, 2002, Nordin on Jan 9, 2002, Murad on Oct 16, 2002, Abdullah Minyak on Jan 14, 2002, and Shamsuddin on April 17, 2002.

They are represented by counsel Edmund Bon, Edward Saw, Amer Hamzah Arshad and Rashid Ismail. Hearing before judge Datuk Abdul Kadir Musa continues.