

20/10/2003

PM, DPM among four named in appeal for contempt of court

ALOR STAR, Sun. - Prime Minister Datuk Seri Dr Mahathir Mohamad and Deputy Prime Minister Datuk Seri Abdullah Ahmad Badawi were among four people named in an appeal for contempt of court at the High Court here today.

Lawyer Karpal Singh, who made the appeal, claimed that Dr Mahathir, Abdullah, Minister in the Prime Minister's Department Datuk Rais Yatim and Kelantan Umno liaison committee chairman Datuk Mustapa Mohamad had committed contempt of court by making statements on the selak sarong (flasher) case involving a Pas member.

Karpal, who appeared on behalf of Razak Abas, said their statements which were quoted in several local newspapers between January and June this year were subjudice as the appeal case against the magistrate court's decision to acquit his client on Dec 26, last year, was still pending.

During proceedings, a gag order was imposed on television stations from airing clips of the incident involving Razak on Aug 10, last year.

In addition to these four people, Karpal had previously named Puteri Umno chief Azalina Othman Said during a hearing on July 20, for the same offence.

Karpal made the appeal during a hearing to set aside the magistrate court's decision to acquit Razak, 55, who was accused of lifting his sarong and exposing his genitals to a Puteri Umno member during campaigning for the Anak Bukit by-election in July, last year.

Judicial Commissioner Datuk Zainal Adzam Abdul Ghani said he would make a decision later and asked the prosecution to present its submission for the case.

Deputy public prosecutor K. Muniandy, in the submission, said the magistrate's court, in making its judgment, had chosen to harp on the failure of the prosecution's main witness, Yusnita Romli, to include the full details in her police report instead of viewing the case as a whole.

He also argued against the court's decision that Yusnita had failed to identify the accused at the scene, later at the police station and at the dock during the trial.

He said Yusnita's proximity to the accused during the incident had allowed her to identify him and again, at the police station, she had done so without being prompted by the policeman.

Zainal Adzam postponed the hearing to Dec 7.

The offence, under Section 509 of the Penal Code, carries a maximum five-year jail term or fine or both.