

AG files appeal against sodomy verdict
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The Attorney-General's Chambers has filed an appeal against the Kuala Lumpur High Court decision in acquitting Opposition Leader Anwar Ibrahim on the charge of sodomising his former aide.

The notice of appeal was filed in the criminal registry of the Kuala Lumpur High Court at 4.30pm today.

This was confirmed by deputy registrar Halilah Suboh.

High Court judge Zabidin Mohd Diah (left) had on Jan 9 found Anwar not guilty of sodomising his 23-year-old former aide, Mohd Saiful Bukhari Azlan.

Justice Zabidin in acquitting the 64-year-old de facto PKR leader and Permatang Pauh MP, cast doubt on the DNA evidence provided by the prosecution.

"After going through the evidence, I cannot be 100 percent certain that the evidence can be accepted as there could have been tampering.

"Hence, the court is reluctant to convict on such corroboration of evidence from (Saiful) and the accused is acquitted," the judge had said.

It is learnt that this afternoon, 30 people from non-governmental organisation Jaringan Melayu Malaysia (JMM) had met with attorney-general Abdul Gani Patail to urge that a notice of appeal against Anwar's acquittal be filed.

Saiful welcomes filing of appeal

Saiful, in an immediate response on his blog, said he was glad and welcomed the decision to file the notice of appeal at the Kuala Lumpur High Court.

"I would like to state here that the filing is to ensure that I get justice until the highest court, as to what I have stated in my police report in 2008," he said.

"I would like to thank those who support me directly and indirectly to ensure I could go through the process of justice to the Court of Appeal."

Saiful's father, Azlan Md Lazim (left), in an immediate reaction to Malaysiakini, said he was thankful that the attorney-general had decided to file the notice of appeal.

"That is all I can say to thank the AG (for his decision to appeal)," Azlan said, adding did not want to comment further on his hopes for the appeal.

Saiful yesterday posted an impassioned plea and sent an official letter to Gani urging the AG's Chambers to file an appeal on the Sodomy II case in order to preserve his dignity and honour.

Yesterday's response was a follow-up, after Saiful had on Jan 9 tweeted, upon learning of Anwar's acquittal, that if he did not get justice in this world, he would seek it in the hereafter.

Anwar had been charged, under Section 377B of the Penal Code, with sodomising Saiful at the Desa Damansara condominium between 3.01pm and 4.30pm on June 26, 2008.

A total of 26 prosecution and seven defence witnesses, including Anwar, had testified in the trial.

Defence lawyer: I was not notified

With the filing of the notice of appeal, the prosecution will have wait for Justice Zabidin to complete his written judgment. However, there is no timeframe for the judge to do so.

sankara nair bukit aman teresea kok isa arrest pc 170908 02When that is done, the AG's Chambers will then file a petition of appeal in the Court of Appeal, which will set a date to hear the appeal.

Anwar's lawyer Sankara Nair (right) said in a statement this evening that he had not been formally notified of the appeal by the prosecution.

"However, if it is true then it is a most regrettable and atrocious given that the judge stated succinctly in his verdict that the crucial evidence was "tampered".

"Hence the sun stratum of the prosecution's case is fatally demolished rendering any appeal, no matter how many times, is an act in futility.

"It appears to be a case of political persecution of Anwar, and not prosecution," Sankara added in his immediate response.

In another immediate reaction, New York-based Human Rights Watch expressed regret over the appeal.

"The trial court gave the government a chance to bow out gracefully from Anwar's politically motivated prosecution. It's very unfortunate that they didn't take it," said Phil Robertson, the deputy director of the rights group's Asia division.

"This decision means the citizens of Malaysia will be further subjected to the more political machinations in the courtroom as the government perpetuates this travesty of a trial for a crime that should not be a crime in the first place."

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