

Lawyers question Papagomo's legitimacy to contest

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Following the announcement yesterday on the possibility of Papagomo contesting against Opposition Leader Anwar Ibrahim for the Permatang Pauh parliamentary seat, many have begun to question if the Umno-linked blogger is even qualified to do so.

This came as Papagomo (left), whose real name is Wan Muhammad Azri Wan Deris, was previously convicted and fined for corruption when he was serving as a traffic constable.

The Court of Appeal had last year upheld the decisions of the Sessions Court and High Court, and he was fined RM10,000 and sentenced to 14 days jail.

According to lawyer Razlan Hadri Zulkifli, Wan Muhammad Azri cannot contest due to his conviction as the decision was only upheld last year.

"Hence, Wan Muhammad Azri cannot contest unless Wan Muhammad Azri is not Papagomo," he said.

Another lawyer, Ranjit Singh, also held the same view that a person fined RM2,001 and up cannot contest, as stated in article 48 of the federal constitution.

Article 48 stipulates that a member of parliament loses his position if convicted and sentenced to imprisonment for a term of not less than one year, or fined not less than RM2,000, and has not received a free pardon.

The article also states that a person who has been convicted shall not be allowed to contest for a term of five years.

'Can contest until appeal process exhausted'

Thus, Ranjit added that Wan Muhammad will have to wait until the next election to contest.

Both lawyers had represented Batu MP Tian Chua when the lawmaker was fined RM2,000 for allegedly biting a police personnel.

This was also verified by another lawyer Edmund Bon (left), however, another senior lawyer, who declined to be identified, said the person can contest until he has exhausted his appeal process, including until the Federal Court, if there is a need.

According to the Malaysian Anti-Corruption Commission (MACC) data, Wan Muhammad Azri was convicted of two charges of corruption for asking a RM1,000 bribe from one Mohd Rahyudi Mokhtar to prevent action being taken against the latter for taking drugs.

He was also convicted of accepting a RM400 bribe from Mohd Rahyudi. Both offences were committed in 2004.

Yesterday it was reported that Papagomo tweeted will contest against Anwar in this coming election.

During a press conference, a Mohamad Rafi Awang Kechik, who introduced himself as the president of a little-known group dubbed Nadi Rakyat Malaysia, had said the blogger plans to expose the de-facto PKR leader's wrongdoings to the people of Permatang Pauh.

The press conference was held after Mohamad Rafi, claiming to be representing the blogger, bought a nomination form for Papagomo from the Federal Territory Election Commission (EC) office.

EC: Wait till nomination day

Meanwhile, EC deputy chairperson Wan Ahmad Wan Omar (below), when posed with the question said he does not have the facts over Papagomo's alleged conviction.

"Whatever it is, we will check it. A decision on whether he is qualified to contest or not can only be decided during nomination day after the polling officer accepted the nomination forms from the prospective candidates.

"I do not have the facts of his conviction. We wait on nomination day whether he comes to submit his nomination papers," he said.

In a related development, Astro Awani reported that Wan Muhammad Azri has denied having links with the blogger, adding it was Papagomo, and not him, who wanted to contest.

Previously, Anwar was not allowed to contest in the 2008 general election following his conviction of a 1999 abuse of power charge, in which he was released in April 15, 2003.

Similarly, current caretaker Penang Chief Minister Lim Guan Eng was sidelined from the 2004 election following his imprisonment for a violation under the Publication and Printing Presses Act in the 1990's.

