

## **MACC's 'file closed' statement prejudicial to GE petitions**

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**By Susan Loone**

PKR lawyers have questioned the timing of Penang Malaysian Anti-Corruption Commission's (MACC) statement that the seven cases of alleged vote-buying during the 13th general election have been closed.

NONELawyer S Raveentharan (left in photo), who is handling the petitions on electoral frauds filed by Penang PKR candidates who lost their seats to BN, said the statement by state MACC director Samarajoo Manikam on Tuesday could be "prejudicial" to the case.

On June 13, PKR leaders filed two petitions over alleged electoral frauds for the Balik Pulau parliamentary and Teluk Bahang state constituencies, to declare the polls null and void.

NONEWhen asked about the status of the seven cases during a press conference, Samarajoo (right) had said the commission recommended the cases be closed as witnesses questioned "did not disclose an offence" under the MACC Act 2009.

"The case (election petition) is being mentioned on July 23, and his (Samarajoo's) statement that the cases are closed as there is no proof of vote-buying can be prejudicial as it can influence the judges, because they also read the news," Raveentharan said at a press conference in Penang today.

Raveentharan urged the attorney-general (AG) to clarify the matter as the candidates who lodged the reports with the anti-graft body have not received any official statement regarding the matter.

However, the lawyer appears expressed doubt over the AG's influence in the matter.

"In countries like the United Kingdom, the AG enforces the public rights. In Malaysia, the AG is 'under instruction'," he quipped.

Accompanying Raveentharan are lawyer P Prabakaran, candidates Muhammad Bakhtiar Wan Chik (Balik Pulau parliament seat), Abdul Halim Hussain (Teluk Bahang) and Mohd Tuah Ismail (Pulau Betong).

No official statement

Abdul Halim expressed regret that the MACC had decided to close the cases when none of the candidates or witnesses they have had been called to give their statements.

NONE "We did not receive any official statement regarding the matter. Moreover, none of the candidates who lodged the report had been called in to give their statements," claimed Abdul Halim (right), who is former state assembly speaker.

"Who are the witnesses questioned by the MACC as we have a list and they have not taken it from us."

Abdul Halim said the candidates were also shocked by the closure as they claim to have "sufficient proof" of voters being paid openly by redeeming their lucky vouchers which stated clearly the constituency they had voted for.

PKR had also lodged a report on the incident with the Election Commission (EC), Abdul Halim added.

He added that the shoplots giving out the payment also clearly displayed manila cards which featured the ten constituencies won by BN in the elections.

To back his claims, Abdul Halim showed reporters a video clip of the incident in Bayan Baru on May 10, where a crowd is seen lining up to receive the money at a packed shoplot.

NONEA Malaysiakini reporter had visited the venue then but was chased out by unidentified people.

"We also had a witness who openly said she received the voucher from BN, and was told to collect her money after the election.

"If this is not vote-buying, I don't know what else is. We hope the MACC will reopen the files, and we hope that the identity of the witnesses would be kept a secret as there are gangsters around who can harm them," Abdul Halim added.

"If this is the trend, we also know by now who will win the coming 14th or 15th general elections."

