

Bid by Najib to strike out suit by PI Bala's widow
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Lawyers representing Prime Minister Najib Abdul Razak and his wife Rosmah Mansor have informed the Kuala Lumpur High Court that they will apply to strike out the suit filed by the late P Balasubramaniam's widow and children.

The other defendants are Najib's two brothers, Johari and Nazim, senior lawyer Cecil Abraham and his son and fellow lawyer Sunil, and commissioner of oaths, Zainal Abidin Muhyat, and lawyer M Arunampalam. They are also expected to file to strike out the suit.

Zainal had signed as a witness in the controversial Balasubramaniam's second statutory declaration, while lawyer Arunampalam was with the private investigator in the press conference to retract the first SD.

Carpet businessman Deepak Jaikishian was also named as defendant in the suit but has yet to be served with the writ of summons. He is alleged to be the link between Najib and Rosmah to Balasubramaniam.

The court has fixed Aug 6 for case management for the defendants to file their striking-out applications.

The matter came up for case management today before senior assistant registrar Norfauzani Mohd Nordin. The widow, A Santamil Selvi, and her three children, were represented by Americk Sidhu.

It was previously reported that they had filed the suit, amounting in excess of RM1 million, seeking damages and loss of income as the late Balasubramaniam and his family had to live in exile in India due to the retraction of the private investigator's statutory declaration.

The civil suit was filed on June 11, for alleged conspiracy between all the defendants in using unlawful means or unlawful acts to cause injury or damage against the plaintiffs and the late Balasubramaniam.

Santamil Selvi and her children are claiming for loss and damage as a result of being forcibly removed from Malaysia against their will on July 4, 2008. They claim they were threatened or induced by the defendants who conspired with each other against her husband and their family.

As a result of this, they had to stay in Chennai, India for almost five years.

The damages of close to RM1.9 million are for loss of income and expenses incurred during

their exile including for lodging, schooling, transportation and loan payment.

Last to see Altantuya

Balasubramaniam or Bala as he was known was hired by political analyst Abdul Razak Baginda, then a close confidante of Najib, who was then deputy prime minister, to stop Mongolian lass Altantuya Shaariibuu disturbing him.

He was among the last to see Altantuya alive when he accosted her at Abdul Razak's Bukit Damansara home and handed her to Chief Inspector Azilah Hadri and Corporal Sirul Azhar Umar.

Azilah and Sirul were convicted of murdering Altantuya at the Shah Alam High Court, while Abdul Razak (left) was acquitted without his defence being called.

This had resulted in Balasubramaniam holding a press conference on July 3, 2008, where he disclose his first SD linking Najib to the Altantuya murder.

In the SD, he claimed Najib had asked Abdul Razak to handle Altantuya who was allegedly seeking her cut of a commission in a multi-billion ringgit submarine deal in which she acted as a translator. Abdul Razak, in turn, hired Balasubramaniam to keep the woman away.

However, Balasubramaniam abruptly disclaimed the SD on the next day with a second SD at a hastily convened press conference. Subsequently he was bundled out of the country with his family.

Last year, the two police officers who were attached with the special action unit were acquitted by the Court of Appeal.

The prosecution's appeal to their acquittal was heard by the Federal Court last month and a decision is pending.

Deepak had admitted in an interview with Malaysiakini he was involved in retracting Balasubramaniam's first SD.

Americk (right) had told a Bar Council annual general meeting last year, a day after Balasubramaniam's passing, that Cecil admitted to him he drafted the second SD for the private investigator on Najib's instructions.

Cecil, and his son, who was also implicated in drafting the second SD, are now subject to a disciplinary hearing before the Advocates and Solicitors Disciplinary Board.

Americk, in his statement to Malaysiakini last month, said there was new evidence leading to the family to file the suit but he did not disclose what it was.

Americk is scheduled to testify before the board on Aug 23.

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