

**No date set yet for Anwar's judgment, says CJ**  
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The Federal Court is still preparing the judgment on PKR adviser Anwar Ibrahim's final appeal to set aside his conviction and five years' jail sentence for sodomising his former aide, Mohd Saiful Bukhari Azlan, six years ago.

Chief Justice Arifin Zakaria (left), when contacted by Bernama today, said he could not give the exact date when the court would deliver its verdict on Anwar's appeal until the panel had completed writing the judgment.

"I cannot tell the exact date until we (the judges) complete the judgment. We are still reading the submissions, let us read first before writing the judgment. Give us room to prepare it," he said when asked on the date the Federal Court would pronounce its verdict on Anwar's appeal.

Arifin, who chaired a five-person bench in the appeal, said a judge was given a reasonable time frame to complete a judgment as every case was different from another.

The four other judges on the panel were Court of Appeal president Md Raus Sharif and Federal Court judges Abdull Hamid Embong, Suriyadi Halim Omar and Ramly Ali.

The top man in the judiciary explained that the standard practice for the Court of Appeal and Federal Court to complete their judgment was within three months after the case was heard.

"But in some cases, the courts (the Court of Appeal and Federal Court) would take a longer time, may be until six months to complete the judgment. It depends on the complexity of the case," he said.

On Nov 7, the Federal Court reserved its decision on the appeal after hearing submissions from Anwar's lawyer Gopal Sri Ram, a former Federal Court judge who led a team of 15 lawyers including three of the late Karpal Singh's children, Ramkarpal Singh Deo, Sangeet Kaur Deo and Gobind Singh Deo, and senior lawyer Muhammad Shafee Abdullah, who led the prosecution team.

The hearing, which was initially set for two days from Oct 28, dragged on for eight days as the defence and prosecution presented lengthy submissions and many legal cases were cited in the appeal.

The highest court in the country will make its ruling on whether to allow or dismiss Anwar's appeal to set aside his conviction and jail sentence imposed by the Court of Appeal on March 7 this year, after it had overturned a High Court decision to acquit him.

If Anwar loses his appeal, he will be disqualified as the member of parliament (MP) for Permatang Pauh as per Article 48(1)(e) of the federal constitution, which states that an MP would be disqualified if he or she is sentenced to a jail term of more than a year, or fined more than RM2,000.

Prosecution also files cross-appeal

The prosecution had also filed a cross-appeal to enhance the jail sentence.

However, the matter will only be heard if the Federal Court upholds the decision of the Court of Appeal.

The Court of Appeal had found Anwar, 67, guilty of having sodomised Mohd Saiful, 27, at Unit 11-5-1 of Desa Damansara Condominium in Jalan Setiakasih, Bukit Damansara in Kuala Lumpur between 3.10pm and 4.30pm on June 26, 2008.

The charge, under Section 377B of the Penal Code, carries a jail sentence of up to 20 years and whipping, upon conviction.

On Jan 9, 2012, the High Court acquitted and discharged Anwar of the charge on the grounds that the court could not be 100 percent certain on the integrity of samples taken for DNA testing from the alleged victim.

The court had ruled that the samples could have been compromised before they reached the Chemistry Department for analysis.

However, the Court of Appeal in convicting Anwar on the sodomy charge, held that the trial judge had erred in his findings about the samples which were based on the evidence of two expert witnesses called by the defence.

This is the second sodomy case against Anwar. In the first case, he was found guilty of having sodomised his family's driver, Azizan Abu Bakar, at Tivoli Villa in Kuala Lumpur in 1994, and was sentenced to nine years' jail by the High Court on Aug 8, 2000.

The High Court had ordered Anwar to serve the sentence after the completion of his six-year jail term for corruption. He was found guilty on four charges of corruption on April 4, 1999.

However, after spending nearly six years in jail for corruption, Anwar was released on Sept 2, 2004 as the Federal Court, led by Justice Abdul Hamid Mohamad who went on to become chief justice, overturned his conviction and set aside the jail sentence on the charge of having sodomised Azizan, in a 2-1 majority decision.

Abdul Hamid and Judge Tengku Baharudin Shah Tengku Mahmud ruled in Anwar's favour while Judge Rahmah Hussein dissented.

However, Abdul Hamid, who wrote the majority judgment, said the judges found that Anwar and co-accused Sukma Darmawan Sasmitaat Madja “were involved in homosexual activities” and that the judges were inclined to believe that the alleged sodomy did take place.

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