

Still no decision on Altantuya murder

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It is exactly six months yesterday since the prosecution's appeal against the acquittal of two police Special Action unit officers, chief inspector Azilah Hadri and corporal Sirul Azhar Umar, was heard at the Federal Court in the case involving the death of Altantuya Shaariibuu.

However, no decision by the five-member bench led by Chief Justice Arifin Zakaria in the country's highest court is forthcoming.

This was confirmed by Deputy Solicitor General I Tun Abdul Majid Tun Hamzah, and lawyers Hazman Ahmad and J Kuldeep Kumar for Azilah and Hasnal Rezua Merican for Sirul.

"As of now, there is no date set," Tun Majid told Malaysiakini. The other lawyers also spoke to Malaysiakini on separate occasions this week.

Generally, judges are given up to three months to write their judgments.

However, Justice Arifin when commenting on the Anwar Ibrahim's Sodomy II case said earlier this month that judges should be allowed a reasonable time frame to complete a judgment as each case is different.

The top judge said the standard practice for the Court of Appeal and Federal Court is to complete the judgment 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 was quoted as saying by Bernama.

Besides Justice Arifin, the other judges who sat in the five-member Federal Court panel in the Altantuya case were Chief Judge of Sabah and Sarawak Justice Richard Malanjum and Federal Court judges Abdull Hamid Embong, Ahmad Maarop and Suriyadi Halim Omar.

The prosecution's appeal was heard over three days in June.

Unsafe to convict Azilah and Sirul

The two Special Actions Unit officers were accused of murdering Mongolian national Altantuya who was harassing former lover and political analyst Abdul Razak Baginda, a close associate of then Deputy Prime Minister Najib Abdul Razak.

She was allegedly murdered between 10pm on Oct 19, 2006 and 1am Oct 20, 2006 at a jungle clearing at Puncak Alam, Selangor.

Abdul Razak was acquitted by the Shah Alam High Court without his defence being called and his acquittal was not appealed by the prosecution.

While the Shah Alam High Court convicted Azilah and Sirul of the heinous murder which captured the world's attention, the three-member Court of Appeal panel ruled otherwise on Aug 13 last year, resulting in the prosecution's appeal.

Justice Tengku Maimun who wrote the unanimous Court of Appeal judgment ruled there were several misdirections by the trial judge, including Najib Abdul Razak's aide de camp DSP Musa Safri not called to testify.

She also ruled the inconsistency in the testimonies of several police officers in the trial, including those who accompanied Azilah to the scene of the crime, and also the officers who led to the recovery of Altantuya's belonging in Sirul's house.

The Court of Appeal judgment also questioned the authenticity of the phone records of Azilah and Sirul provided by the telephone companies which shows calls made between Azilah and Abdul Razak, while the two were on the way to the scene of the crime.

'Rare to take so long'

It is rare for the final appellate court to take so long to decide on a case such as this.

Besides this criminal case, Altantuya's father, Shaariibuu Setev, had filed a suit against the government, and that is pending on the outcome of the two police officers' case.

When contacted, Puchong MP Gobind Singh Deo, whose late father Karpal Singh represented Shaariibuu Setev, said the apex court may take some time to write judgments.

"In fact this is quite common. There have been cases which have taken longer.

"It would depend on the complexity of the issues involved in the appeal. The judges may need time to write their grounds as well. So there may be a combination of reasons," he told Malaysiakini when contacted about the late delivery of the verdict.