

## **Arul will still be co-accused in 1MDB audit case, lawyer clarifies**

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Former 1MDB chief executive officer Arul Kanda Kandasamy will remain a co-accused in the alleged tampering of the company's audit report, his lawyer clarified.

This is despite the prosecution's bid to summon Arul as a prosecution witness against another co-accused in the case, former premier Najib Abdul Razak.

Lawyer N Sivananthan (above, right) explained the prosecution is seeking to compel his client to testify under Section 63 of the MACC Act 2009, which allows prosecutors to summon an accused person to testify as a prosecution witness if there is more than one accused person in the case.

It is also Arul's position to cooperate with investigations since it was first started by the MACC, he said.

"His position then and his position now is that he should never have been

charged and in that context, should the learned judge decide that he is to become a prosecution witness under Section 63 of the MACC Act (ie whilst still being a co-accused), then in that situation, he is prepared to give evidence consistent with the statements he has previously given to the MACC,” Sivananthan said in a statement today.

Earlier today, the High Court in Kuala Lumpur heard the prosecution’s bid to call Arul as a witness against Najib.

Najib Abdul Razak and his lawyer Muhammad Shafee Abdullah (second left)

Sivananthan told the court that Arul is standing by the statement he gave the MACC regarding the case, which judge Mohamed Zaini Mazlan took to mean that Arul has no objections to being a prosecution witness.

He also told the court that Arul is concerned about whether he would be granted an acquittal right after his testimony.

Najib’s counsel Muhammad Shafee Abdullah is objecting to the move arguing that Arul could be influenced by the prosecution and may also seek to downplay his alleged role in the case.

Zaini fixed June 24 to deliver his verdict on whether to allow Arul to testify

against Najib.

In his statement, Sivananthan said some media reports regarding today's court proceedings took his words out of context by suggesting that Arul is "happily" turning into a prosecution witness against Najib, which prompted this clarification.

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