

**Actor's re-arrest 'a cover for police incompetency'**  
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The re-arrest of actor Khaireyll Benjamin Ibrahim and his detention under the Dangerous Drugs (Special Preventive Measures) Act 1985 was done to salvage the image of the police who were unable to charge him for drug trafficking, his lawyer told the Kuala Lumpur High Court today.

Counsel Amer Hamzah Arshad said arresting officer Nur Hazurah Ab Talib had admitted in her affidavit that there was lack of evidence to charge the actor, commonly known as Benjy, for drug trafficking.

"So, what happened thereafter is that the police invoked the provisions under Special Preventive Measures, notwithstanding the fact that there is a lack of evidence against the applicant and that he was never considered a threat to public order," Amer Hamzah submitted in an application for a writ of habeas corpus seeking Benjy's immediate release.

Benjy, the only son of veteran actress Azean Irdawaty, pleaded not guilty to possessing 0.24gm of methamphetamine in a house at A-6-5 Menara Duta 2, Jalan 1/38B, off Jalan Segambut in Kuala Lumpur at 4pm on March 11.

Immediately after posting bail, he was re-arrested for alleged involvement in drug trafficking.

In his application filed on April 8, Benjy named the inspector-general of police, home minister and the government as respondents, and also sought an order that he would not be re-arrested after his release.

He wants a declaration that his arrest and detention under Section 3(1) of the Dangerous Drugs (Special Preventive Measures) Act were wrongful, null and void and mala fide in nature.

Amer Hamzah submitted that the Star newspaper on March 27 quoted the home minister as saying that Benjy was re-arrested because the police needed his help in investigations involving synthetic drugs.

He said it was trite law that a person who was required to assist the police in any investigation should not be arrested.

Amer Hamzah also said when Benjy was already under the detention, the police held a news conference disclosing certain information purportedly in relation to his arrest when there was no such provision in law because such investigation was considered confidential.

"The only logical conclusion that can be made is that the media conference and the disclosure of the information are intended to embarrass Benjy and to attempt a cover up for their incompetency for not being able to charge Benjy for drug trafficking," he said.

Amer Hamzah also pointed to a statutory declaration from Afifi Hamidi, who was arrested with Benjy, in which she disclosed that that a police officer had threatened her and forced her to implicate Benjy.

He said Benjy could not be arrested for the purpose of building a case against him with the

intention of getting evidence to obtain the home minister's order to detain him under Section 6(1) of the Act.

Amer Hamzah said it was obvious that the police had no reason to believe that Benjy was involved in any drug trafficking activity which was prejudicial to public order and that the court had no choice but to allow Benjy's application for immediate release.

The hearing before Justice Datuk Mohd Sofian Abd Razak continues tomorrow.

- Bernama

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