

Anwar pleads not guilty, freed on bond
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Beh Lih Yi and S Pathmavathy

PKR leader Anwar Ibrahim today pleaded not guilty at the Kuala Lumpur Sessions Court against the charge of having carnal intercourse against the order of nature.
MCPX

anwar ibrahim sodomy allegation saiful bukhari azlan first day in court 070808 03 "This is a malicious and treacherous slander, I'm not guilty," he told Sessions Court judge SM Komathy Suppiah. He repeated this twice from the dock.

The prosecution did not oppose bail and proposed the amount be set at RM20,000 with one surety and that Anwar be required to surrender his passport.

Anwar's lead counsel Sulaiman Abdullah however argued for a personal bond, with no amount set, to be granted as he said there was no possibility of the opposition leader absconding or tampering with witnesses.

the charge against anwar ibrahim sodomy allegation trial 070808 He also added that Anwar is "very keen" to answer the accusation thrown at him.

Lead prosecutor, solicitor-general Idrus Harun, disagreed when asked by the judge for his view on Sulaiman's argument.

"The possibility is always there," said Idris, drawing laughter from those in the public gallery. The court was packed with about 100 people including Anwar's family members, supporters and top Pakatan Rakyat leaders.

In considering the application, the judge also asked investigating officer DSP Jude Pereira, who was present in court, whether Anwar has been cooperative with the police investigation, to which the police officer replied, "Yes."

Judge Komathy then agreed to release Anwar on RM20,000 personal bond without surety.

The difference between a bail and personal bond is that the amount for the former has to be paid up-front while a bond is a promissory note that the accused would only be required to pay if he absconds.

No likelihood of absconding

She also said Anwar need not surrender his passport as the opposition leader was not likely to abscond and it was an element of natural justice that a man should be presumed innocent until proven guilty.

anwar ibrahim sodomy allegation saiful bukhari azlan first day in court 070808 01 "I don't think there's any likelihood that Datuk Seri Anwar Ibrahim will abscond. Therefore I will release him on a personal bond of RM20,000 without surety," she said to applause from the public gallery.

The judge also set the case for mention on Sept 10 pending an application for the case to be

transferred to the High Court.

Before the proceeding was adjourned, judge Komathy drew another round of laughter from the court when she asked a visibly elated Anwar whether this Sunday is his birthday.

anwar ibrahim sodomy charge allegation court appearance timeline 070808 "Yes," answered a smiling Anwar, nodding his head. The PKR leader will be turning 61.

After the session was adjourned, Anwar was greeted by his wife Dr Wan Azizah Wan Ismail and the couple's daughters as well as his supporters and lawyers.

Three of Anwar's six children were present today, including eldest daughter Nurul Izzah, who is also Lembah Pantai MP.

Anwar stayed in the courtroom for about another 30 minutes, talking to reporters while waiting for the bond procedure to be completed.

He then left the courtroom and briefly addressed the horde of journalists and supporters waiting outside the courtroom.

The charge, preferred following a complaint by Mohd Saiful Bukhari Azlan, carries a punishment of up to 20 years' imprisonment and caning if found guilty.

Saiful, 23, was Anwar's former aide.

Anwar was charged with having committed sodomy on Saiful under Section 377B of the Penal Code on June 26 between 3.01pm and 4.30pm at Unit 11-5-1 Desa Damansara Condo in Bukit Damansara, Kuala Lumpur. [View charge sheet]

According to a lawyer, Section 377B indicates consensual sex, and not assault.

Relaxed and composed

Earlier today, Anwar arrived at the court complex around 9.40am to chants of reformasi from 200 supporters. He was accompanied by his wife and daughters.

anwar ibrahim sodomy allegation saiful bukhari azlan first day in court 070808 08 Penang Chief Minister and DAP secretary-general Lim Guan Eng read out a short joint statement from the opposition Pakatan Rakyat coalition.

He said should Anwar be denied bail, Wan Azizah would be the coordinator of the Pakatan council.

Other Pakatan leaders present include PKR leaders Azmin Ali and Tian Chua, DAP leaders Lim Kit Siang and Gobind Singh Deo and PAS leader Husam Musa and Kamaruddin Jaafar.

The de facto PKR leader, who was in a greyish jacket and light purple shirt, appeared relaxed when he entered the courtroom. He smiled and talked to some of his supporters and Pakatan leaders inside the courtroom.

At one point, he told TenagaNita director and PKR supreme council member Irene Fernandez that this court case would be the "final round."

anwar ibrahim sodomy allegation saiful bukhari azlan first day in court 070808 sankara nairAnwar was represented by a nine-member legal team headed by Sulaiman. The other defence lawyers are R Sivarasa, Leela J Jesuthasan, Sankara Nair (left, centre), Edmund Bon, Saiful Izham Ramli, Amer Hamzah Arshad, Latheefa Koya and Mohd Radzlan Jalaludin.

Prosecutor Idrus appeared together with a team which also comprised the Attorney-General's Chamber prosecution chief Mohd Yusof Zainal Abiden.

There are also other lawyers who are holding watching brief for the Bar Council and New York-based Human Rights Watch, Paris-based International Federation for Human Rights and Bangkok-based Forum Asia.

Heavy security

In the bid to stop protests from Anwar's supporters, the police have again lockdown the city ahead of the court hearing.

anwar ibrahim sodomy allegation saiful bukhari azlan first day in court 070808 crowdThe entire court complex was put under heavy security, with police personnel lined up along the roads leading to the main building, as well as within the whole complex itself.

At least seven police and Federal Reserve Unit trucks were seen in the court parking area.

Similarly, the police also mounted several roadblocks in certain parts of the city, causing massive gridlock in all main arteries entering the city centre.

anwar ibrahim sodomy allegation saiful bukhari azlan first day in court 070808 16The police also limited public access to the courtroom - Sessions Court 1 - where Anwar was charged. The public were also asked to register themselves before entering the court building.

Had bail been denied, as was the case when he was charged 10 years ago, Anwar would be detained and would have to fight his Permatang Pauh by-election behind bars.

Now that he is freed on bond, all eyes will now be on the Aug 26 by-election. Should he win, as many expect him to, Anwar will return to court next month to fight the sodomy charge as a parliamentarian and opposition leader.