

Court rejects call for Saiful, Farah to testify as witnesses
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KUALA LUMPUR - The High Court rejected on Monday an application by Opposition leader Anwar Ibrahim's defence to call plaintiff Mohd Saiful Bukhari Azlan and DPP Farah Azlina Latif as court witnesses to testify about their alleged affair.

Justice Mohamad Zabidin Mohd Diah refused application under Section 425 of the Criminal Procedure Code citing "irrelevance".

He made his ruling in relation to Anwar's ongoing second sodomy trial, after hearing submissions from counsel of both parties.

Anwar's lead counsel Karpal Singh had argued that Farah and Saiful should be called to court to answer the allegations made against them.

"At this point, the prosecution has not offered to call them, and we can't, so the court must," he said, adding that the court had the jurisdiction to do so.

Last week, Karpal had filed an application to have Anwar's charge struck out following allegations of the affair between the key witness and the DPP, which he said was unprecedented in Malaysian legal history, "and even in the world".

He said that up to this point, Mohd Saiful and Farah Azlina had not replied to Anwar's affidavit supporting his application.

Solicitor-General II Mohd Yusof Zainal Abiden, however, argued that the allegation was not something that Anwar could prove.

He added that DPP Hanafiah Zakaria and investigating officer Jude Pereira had submitted their affidavits-in-reply, saying that at no time did Farah Azlina or anyone else have access to the documents and materials in the case.

"That should be the end of the matter. The whole thing is hearsay and inadmissible," he said.

Speaking to reporters later, Karpal said it was not for DPP Hanafiah to reply on behalf of Farah Azlina.

"She has to come and say it herself. Please come and deny it, or better yet, confirm it. I will apply to the court to do cross-examination," he said.

Anwar, 63, had claimed trial to sodomising his former aide Mohd Saiful, 25, at Desa Damansara Condominium in Jalan Setiakasih, Bukit Damansara between 3.01pm and 4.30pm on June 26, 2008. - The Star

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