



Pic by Muhd Amin Naharul

PENDING CHARGES: A 3-member bench says Najib had cited special circumstances and asked for a stay of his corruption trial that had been scheduled to start this morning.

Najib's 1st graft trial postponed

Malaysian Reserve - 12/21/2019 P5.1

It may take a couple of weeks to resolve technicality, say lawyers

by **DASHVEENJIT KAUR**

THE corruption trial of former Prime Minister Datuk Seri Mohd Najib Razak has been postponed pending the outcome of an appeal over the transfer of some charges to the High Court from the lower court.

The Court of Appeal yesterday granted Najib's defence to postpone his trial on the seven charges linked to SRC International Sdn Bhd.

A three-member bench said Najib had cited special circumstances and

that had been scheduled to start this morning.

In the unanimous ruling, the panel said it was better to resolve the question before the trial because "it would be a waste of time for the trial to proceed only to become a nullity later".

While Malaysians had been anticipating Najib's day in court, it has also been widely expected that his defence would do its best to delay the trial.

Yesterday's successful appeal was filed last Friday in what was seen as a last ditch effort to delay the trial related to allegations over missing RM42 million from SRC International, once a subsidiary of 1Malaysia Development Bhd (1MDB).

It is just one of several trials that Najib will face in connection with 1MDB.

Legal sources said the postponement would not take too long to resolve and could be done within a couple of weeks, but it has already added to the months of waiting since the trial was set last year.

Some observers, however, said the fact that the Appeal Court granted Najib's appeal to postpone his case is a reflection of Malaysia's judicial independence under the new government which took power last May.

Singapore Institute of International Affairs' senior fellow Oh Ei Sun said the postponement shows that the judiciary is independent from the government or from private or partisan interests.

"It shows that judicial independence is indeed a practice now. The

postponement is expected, although the Pekan MP has assembled a formidable legal team to ensure his appeal is being heard," Oh said.

Najib was first charged on July 4 last year, with three counts of criminal breach of trust and abuse of power for gratification involving RM42 million from SRC International, a unit of 1MDB since 2011.

Najib, as a public servant, was alleged to have misappropriated RM27 million, RM5 million and RM10 million belonging to SRC International when he acted as its advisor.

The offence falls under Section 409 of the Penal Code which carries a maximum 20 years' imprisonment and whipping, upon conviction.