

Najib fails in bid to intervene in Azilah's review application

PUTRAJAYA: Datuk Seri Najib Razak, named in a statutory declaration (SD) by former police commando Azilah Hadri who was convicted of murder, was unsuccessful in his bid to intervene in the convict's application to set aside his death sentence.

"It is clear that the interested parties in this review application are Azilah and the public prosecutor.

"The proposed intervenor (Najib) was never prosecuted and therefore not an accused person," said Chief Judge of Malaya Justice Azahar Mohamed.

The former prime minister had tried to intervene in a review application filed by Azilah, but the Federal Court dismissed his motion yesterday after hearing submissions from all parties.

A five-man bench chaired by Justice Azahar was unanimous in its decision that Azilah's review was a matter between the public prosecutor and Azilah as the applicant.

On Oct 17 last year, Azilah, a former chief inspector from the elite special force special actions unit (UTK), made a stunning allegation in his 32-page SD that the order to kill Mongolian woman Altantuya Shaariibuu came from Najib, who was deputy prime minister then.

The SD was part of his review application to the Federal Court to have his conviction and sentence set aside and an order for a retrial.

Najib had vehemently denied the allegations, saying that the SD was part of a high-level political assassination attempt against him.

Justice Azahar said the Pekan MP would not be directly affected by any order which would be made by the court in the review application.

"In other words, the outcome of the review application would not affect the proposed intervenor.

"Accordingly, we dismiss the proposed intervenor's motion," Justice Azahar said.

Earlier, the court heard submissions from Najib's lawyer Tan Sri Muhammad Shafee



All suited up: Najib arriving at the Federal Court in Kuala Lumpur. — Bernama

Abdullah, who argued that the motion should be allowed on the grounds that the SD in the review application by Azilah contained serious allegations against his client.

"My client has been prominently highlighted in the SD. The applicant has accused my client of directing him to commit a heinous crime. The details are atrocious and it is the worst allegation one can have.

"He would have a direct legal interest, not only because his reputation is going to be sullied but because he is accused in this SD, so he should be given a chance to rebut (the allegations)," Shafee said.

Azilah's lawyer J. Kuldeep Kumar objected, saying that the review was a matter purely between the public prosecutor and the applicant.

Deputy public prosecutor Datuk Mohd Dusuki Mokhtar submitted that while the court had inherent powers to allow intervention, those powers should be used sparingly.

"Although his (Najib's) name was mentioned (in the SD), the matter is between the public prosecutor and the accused," Dusuki said.

Najib was present in court for the proceedings, but left at around noon to attend the Dewan Rakyat sitting.