

# COURT DENIES NAJIB'S BID TO ADJOURN TRIAL

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Hearing continues, judge sets Aug 7 to hear application seeking Sri Ram's disqualification

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**T**HE High Court here yesterday dismissed Datuk Seri Najib Razak's application to adjourn his 1Malaysia Development Bhd (1MDB) audit tampering trial.

Najib had pleaded for the trial to be adjourned until his application to disqualify former federal court judge Datuk Seri Gopal Sri Ram as the lead prosecutor of his case is heard.

The former prime minister's lead counsel, Tan Sri Muhammad Shafee Abdullah, pleaded for the adjournment after arguing that some serious issues had cropped up involving Sri Ram and the defence had filed a fresh application to disqualify the deputy public prosecutor.

He said the defence, along with

former attorney-general Tan Sri Mohamed Apandi Ali, had filed separate affidavits last week seeking Sri Ram's disqualification.

"In view of the seriousness of the issues involved, we hope this trial can be adjourned until our application to disqualify Sri Ram is heard," he said at the onset of the continuation of the 1MDB audit tampering trial before High Court judge Mohamed Zaini Mazlan yesterday.

However, Sri Ram said there was nothing new in the two affidavits which had been filed by the defence, and there was no reason for the trial to be adjourned.

He said the defence had filed similar motions to have him disqualified previously, but they had failed to do so after the Court of Appeal and Federal Court dismissed the application last year.

Zaini then ruled that the trial would continue and fixed Aug 7 to hear the fresh application filed by Najib and supported by Apandi's affidavit to disqualify Sri Ram.

The application comes in the wake of an allegation by Apandi that Sri Ram had tried to coax him into filing charges against Najib in 2018.

Apandi, in his Facebook posting, claimed that Sri Ram had gone to his house in January 2018 to discuss the matter.

In the 1MDB audit-tampering trial, Najib and former 1MDB chief executive officer Arul Kanda Kandasamy are jointly accused of tampering with the auditor-general's final audit report on the sovereign wealth fund.

Najib is charged with using his position as the then prime minister to order amendments to 1MDB's final audit report before it was presented to the Public Accounts Committee and to prevent any action against him.

Arul Kanda, who is represented by Datuk N. Sivananthan, is accused of abetting Najib in making the amendments.

The charges are framed under Section 23 (1) of the MACC Act 2009, which carries a maximum 20 years' jail and a fine of five times the amount of gratification received.

The trial has seen six people, including former chief secretary to the government Tan Sri Ali Hamsa and former auditor-general Tan Sri Ambrin Buang, called to the stand as prosecution witnesses.

The hearing continues.