

Charges against Najib, Arul in audit tampering case amended

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KUALA LUMPUR: The charges against former prime minister Datuk Seri Najib Razak and former 1Malaysia Development Bhd (1MDB) CEO Arul Kanda Kandasamy in the 1MDB audit tampering case have been amended following the High Court's decision that allowed the change.

Justice Mohamed Zaini Mazlan, in his ruling, said the court did not find that the amendment would prejudice both the accused as only seven witnesses had been called so far,

and not all would be subjected to cross-examination. The judge said he would ensure the accused would be given their chance for defence.

"Even if these amendments result in the goalposts being shifted, it will still remain within the pitch. They will still be able to aim their shots," Justice Zaini said here yesterday.

He said he was confident the defence would have ample opportunity to prepare their case.

The charge sheets had previously stated that Najib had given orders

to amend 1MDB's audit report which was "prepared" by the Auditor-General, before it was "finalised" and tabled to the Public Accounts Committee (PAC).

Following the amendments, the charge sheets now stated that Najib had given orders to amend the audit report which was already "finalised" by the auditor-general, before the report was "finalised again" and tabled to the PAC.

The amended charges were then read out to Najib and Arul Kanda.

Both maintained their innocence.

Najib is charged with abusing his position to order amendments to the 1MDB final audit report to avoid any action being taken against him while Arul Kanda is charged with abetting Najib in making the amendments to the report.

Both of them were charged under Section 23(1) of the Malaysian Anti-Corruption Commission Act 2009, which provides a jail term of up to 20 years and a fine of no less than five times the amount of gratifica-

tion or RM10,000, whichever is higher, upon conviction.

Lead prosecutor Datuk Seri Gopal Sri Ram and Deputy Public Prosecutor Ahmad Akram Gharib appeared for the prosecution.

Lawyers Tan Sri Muhammad Shafee Abdullah and Datuk N. Sivananthan represented Najib and Arul Kanda respectively.

The hearing will resume on July 23 where the defence is expected to move for a striking out application on the charge.