

NAJIB'S SUIT AGAINST BANK, EX-OFFICER STRUCK OUT

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Lawyer Shafee plans to file appeal against High Court decision

KHAIRAH N. KARIM
KUALA LUMPUR
news@nst.com.my

THE High Court has struck out Datuk Seri Najib Razak's suit against AmBank Islamic, AMMB Holdings Bhd and its former officer Joanna Yu over mismanagement of his accounts, which were scrutinised in his SRC International Sdn Bhd trial.

Judge Datuk Khadijah Idris

made the decision after allowing Yu and the two AmBank entities' application.

In her judgment, Khadijah said the action brought by Najib against the three was an abuse of the court's process and made for collateral purposes on his criminal matter, the SRC International proceedings.

"On this ground, the court finds that this action is unrelated to the SRC International case," she said.

Najib's contention that he had only discovered about the fact of the manipulation of his accounts by Yu, during the trial, was unsustainable, the judge added.

She awarded costs of RM30,000 to both AmBank entities and RM25,000 to Yu.

Lawyer Tan Sri Muhammad Shafee Abdullah, who represented Najib, said he planned to file an appeal against the decision.



AmBank lawyer Yoong Sin Min (second from right) and Joanna Yu's lawyer Datuk Gurdial Singh Nijar (second from left) leaving the Kuala Lumpur Courts Complex after yesterday's decision. PIC BY EIZAIRI SHAMSUDIN

Lawyer Yoong Sin Min appeared for AmBank while Datuk Gurdial Singh Nijar represented Yu.

Najib filed the suit on Dec 9, last year naming AmBank Islamic Bhd, AMMB Holdings Bhd and Yu, who was a prosecution witness in the SRC International trial, as defendants.

In his statement of claim, Najib said AmBank and Yu had committed negligence when handling his bank accounts (ending 694, 880, 898 and 906) by disclosing them to fugitive businessman Low Taek Jho or Jho Low.

He claimed that the defendants did not engage with him to report on Low's action regarding the said bank accounts and that the bank had facilitated unautho-

rised third party to make money transfers between accounts 880, 898 and 906.

The Pekan member of parliament also claimed that he had been kept in the dark on the details of his own bank accounts' statements and other related documents by the bank on Low's instruction.

Najib alleged that Low, with the help of other unauthorised third parties, had made 20 transactions to regularise the accounts totalling RM12 million through several local and foreign remittances of funds and that the accounts had been 'red flagged' by Bank Negara Malaysia (BNM).

He said the defendants failed to report and get direct instructions from him despite the accounts

being red flagged.

Najib also claimed that he only discovered the act committed by the defendants during the SRC International trial after the prosecution had revealed the conversations between Yu and third parties.

Najib also sought special, general, aggravated and exemplary damages from the defendants.

Najib was, on July 28, sentenced to 12 years' jail by the High Court and fined RM210 million after he was found guilty of all seven charges of criminal breach of trust, abuse of power and money-laundering on RM42 million of SRC International funds.

However, he obtained a stay of the sentence pending appeal.