

# NAJIB FILES APPEAL OVER DISMISSAL OF SUIT

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Najib's lawyer Yudistra Darma Dorai says the notice of appeal was filed on Dec 22

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**D**ATUK Seri Najib Razak has filed an appeal over the dismissal of his lawsuit against former attorney-general Tan Sri Tommy Thomas for misfeasance in public office.

Najib's lawyer Yudistra Darma Dorai confirmed that the notice of appeal had been filed on Dec 22.

On Nov 25, High Court judge Datuk Ahmad Bache allowed

Thomas' application to dismiss the former prime minister's lawsuit.

In his decision, Ahmad said Thomas had made the right call in charging Najib for corruption.

He had added that Thomas had not committed the tort of malfeasance when deciding to charge Najib with several abuse of power and corruption cases involving SRC International Bhd and 1Malaysia Development Bhd (1MDB).

He had said that Najib was found guilty in SRC International's case, and the decision was affirmed by the Federal Court.

"That decision is testimony and manifestation of the fact that Thomas made the right decision to charge the plaintiff. Thomas owed no duty of care directly to the plaintiff as an accused in the first place, except to act professionally and fairly as a public prosecutor," he had said before dismissing Najib's civil lawsuit



*Datuk Seri Najib Razak*

against Thomas.

The former prime minister is seeking RM1.9 million in damages and a declaration that Thomas had committed malfeasance in the public office.

Ahmad had said that Thomas, as a public prosecutor, had a duty to charge Najib upon receiving a completed report from the investigating agencies which revealed strong and credible evidence against the plaintiff for a



*Tan Sri Tommy Thomas*

slew of crimes he had purportedly committed.

He had also said that allowing Najib's suit would open another floodgate for an ongoing criminal trial to be tried in civil court on a civil balance of proof and would be seen as a collateral attack against Najib's criminal trial.

In his statement of claim, Najib said he was wrongfully accused in court over the four 1MDB-related cases.

He claimed that the charges against him were part of a move planned in advance by Thomas, which was in line with the Pakatan Harapan government's agenda at the time.

Najib claimed that in 2015, Thomas had met Tun Dr Mahathir Mohamad to discuss Najib's alleged crimes and mismanagement involving 1MDB funds. Thomas also advised Dr Mahathir to take civil and criminal action against him over his involvement in 1MDB.

Najib is currently serving a prison sentence after the Federal Court upheld his conviction and sentence of 12 years' jail and a RM210 million fine upon being found guilty of embezzling RM42 million in funds belonging to SRC International.

Najib is now on trial for multiple corruption charges involving the 1MDB financial scandal, audit tempering and money laundering.