

# 'Nothing wrong with charges against Muhyiddin'

**KUALA LUMPUR:** The High Court was yesterday told that the four charges against former prime minister Tan Sri Muhyiddin Yassin, of misusing his position to obtain bribes totalling RM232.5 million for Parti Pribumi Bersatu Malaysia (Bersatu), were not discriminatory.

DPP Datuk Wan Shahrudin Wan Ladin said this was because all the charges met sections 152, 153, and 154 of the Criminal Procedure Code (CPC) by stating the form of the charge, particulars as to time, place and person (accused) and manner as to how the offences were committed.

He said Muhyiddin's rights according to Article 5 of the Federal Constitution had not been violated because the trial had not started.

"All the allegations by the applicant are premature, and the action in applying to strike out the charges can be ruled as unconstitutional.

"At this stage, the applicant's rights under Article 5 (1) are guaranteed, because all procedures met existing laws, especially the CPC, which have been complied with by the prosecution as the respondent," Wan Shahrudin said.

Meanwhile, DPP Ahmad Akram Gharib said the application to strike the charges is an abuse of court process, and is based on a "wrong premise of law" and "misconception of law"

"Therefore, the court cannot use its power to quash the charges under Section 23 (1) of the Malaysian Anti-Corruption Commission Act 2009 against the applicant."

He said the charges that Muhyiddin is seeking to strike out



Muhyiddin and his wife Puan Sri Noorainee Abdul Rahman arriving at the court yesterday. - **BERNAMAPIC**

clearly stated the elements of the offence under Section 23 (1).

"It is too early to say the charges he is facing are flawed, because the charges are complete in terms of Muhyiddin being the prime minister and Bersatu president.

"The bribes he allegedly received are from three companies. We don't understand what else the applicant

wants," he said, requesting the court to dismiss the application.

Muhyiddin's counsel Datuk Hisyam Teh Poh Teik said the charges of position abuse were bad in law and defective, as the respondent failed to particularise how his client had allegedly committed the offences.

"All the charges are similarly

worded except for the dates, places and amounts. It is obvious the concept of a fair process has been vitiated by an over-hasty and stage-managed prosecution where the basic elementary rules of fairness were not observed," he said.

Judge Muhammad Jamil fixed Aug 15 to decide on Muhyiddin's application. - **Bernama**