

NAJIB'S SRC REVIEW DECISION BY MARCH 31

Federal Court bench wants time to consider review application over jail sentence and fine

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THE Federal Court has reserved judgment on Datuk Seri Najib Razak's application for leave to review his 12-year jail sentence and RM210 million fine for misappropriating SRC International funds.

A five-member bench led by Chief Judge of Sabah and Sarawak Datuk Abdul Rahman Sebli said the court needed time to consider the case, but would make a decision by March 31.

"We are not able to decide today (yesterday). We will inform the

parties once we are ready with our decision not later than March 31."

The other panel members were Federal Court judges Datuk Vernon Ong Lam Kiat, Datuk Rhodzariah Bujang and Datuk Nordin Hassan and Court of Appeal judge Datuk Abu Bakar Jais.

The former prime minister is seeking a review of the Federal Court's decision to reject his application to adduce fresh evidence relating to then High Court judge Datuk Mohd Nazlan Mohd Ghazali. He is also seeking a review of the court's decision to dismiss his bid to postpone his appeal hearing and the appeal to recuse Chief Justice Tun Tengku Maimun Tuan Mat, as well as the court's decision on Aug 23 last year to affirm his conviction and sentence.

Najib, 70, was found guilty of

abuse of power in relation to a RM4 billion loan from the Retirement Fund Inc to SRC between August 2011 and March 2012.

He was also convicted of criminal breach of trust and money laundering involving RM42 million of SRC funds between Dec 26, 2014 and Feb 10, 2015.

He was sentenced to 12 years' jail and fined RM210 million by the High Court. The jail sentence and fine was upheld by the Court of Appeal on Dec 8, 2021 and later affirmed by the Federal Court.

During submissions, Najib's lead counsel, Tan Sri Muhammad Shafee Abdullah, had said the husband of Tengku Maimun had publicly expressed his hatred for Najib several years before the start of the 1MDB trial.

Shafee argued that Datuk Za-

mani Ibrahim's Facebook post in 2018, which condemned the former prime minister's administration, was a public declaration of hatred of Najib.

Shafee said Zamani, although not a politician, was politicising the issue by portraying Najib as a rogue in the 1MDB scandal.

"He concluded that Najib was guilty even before the 1MDB and its then subsidiary company, SRC International Bhd, cases were moved in court.

"He (Zamani) is a friend of mine, but his post is a public declaration of hatred against my client.

"This is the husband of the CJ (chief justice). If you have a Facebook account, you can read the post. I am not saying the chief justice must have a common view, but there must be a sharing of opinion between husband and wife."

Deputy public prosecutor Datuk V. Sithambaram argued that Zamani's post did not show he had personal animosity against Najib and it was just a general comment

by a citizen on social media.

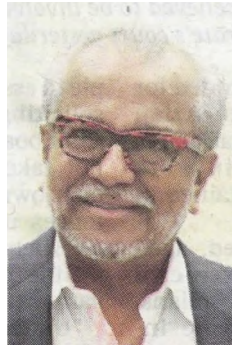
He said the post did not meet the threshold for Najib to use as a reason to recuse Tengku Maimun from presiding over his final appeal to overturn the 12-year jail sentence and RM210 million fine for misappropriation of SRC International funds.

He said the application for recusal was without merit and mala fide as spousal relationship alone was insufficient to meet the legal threshold for bias and recusal.

He said the application was a desperate last-minute attempt to scuttle the appeals.

Najib's then lead counsel, Datuk Hisyam Teh Poh Teik, applied to recuse Tengku Maimun based on "certain information" they received two or three days before Najib's appeal at the apex court.

Hisyam had said he had received information about a Facebook post by Zamani on May 11, 2018 about Barisan Nasional's defeat in the 14th General Election and Najib's leadership.



Tan Sri Muhammad Shafee Abdullah