

# Muhyiddin seeking transfer of cases to High Court

> Affidavit states Sessions Court does not have jurisdiction on Federal Constitution matters

**KUALA LUMPUR:** Former prime minister Tan Sri Muhyiddin Yassin has applied for the trial of his cases involving using his position to receive bribes amounting to RM232.5 million for Parti Pribumi Bersatu Malaysia (Bersatu) and receiving money from illegal activities, to be transferred to the High Court.

His lawyer Rosli Dahlan said the application was filed last April 27 on the grounds, among others, that the cases involved complex legal issues involving the Federal Constitution.

"Therefore, the cases need to be transferred," he said after case management yesterday, which was held before Senior Assistant Registrar Nur Azizah Jaafar, who then set May 31 for further case management.

In his supporting affidavit, Muhyiddin, 76, said the Sessions Court does not have jurisdiction to determine matters involving the Federal Constitution and only the higher courts, namely the High Court, Court of

Appeal and the Federal Court has the expertise.

"It is more appropriate for the proceedings to be heard and tried before a High Court judge who has jurisdiction, extensive experience and a deep understanding of the law to determine constitutional issues," said Muhyiddin.

Regarding the Bersatu president's application to quash the four charges of misusing his position to receive bribes, Rosli said Deputy Registrar Nurshafini Mustafha set June 12 for further case management.

On April 18, Muhyiddin, who is Perikatan Nasional chairman, filed a notice of motion seeking that he be released and acquitted of all four charges made against him on March 10 and the proceedings of the case in the Sessions Court be postponed.

In a supporting affidavit filed with the notice of motion, he claimed that all the charges were flawed and invalid in law.

Muhyiddin was charged as the then prime minister and Bersatu president with using his position to obtain bribes from three companies, namely Bukhary Equity Sdn Bhd, Nepturis Sdn Bhd and Mamfor Sdn Bhd and Datuk Azman Yusoff.

The offences were allegedly committed at the Prime Minister's Office, Main Block, Perdana Putra Building, Federal Government Administration Centre in Putrajaya between

March 1, 2020, and Aug 20, 2021.

The charges were framed under Section 23(1) of the Malaysian Anti-Corruption Commission Act 2009, which provides imprisonment of 20 years and a fine of not less than five times the amount or value of the bribe, or RM10,000, whichever is higher.

Muhyiddin was also charged with two counts of receiving money from unlawful activities amounting to RM195 million from Bukhary Equity Sdn Bhd, which was deposited into Bersatu's CIMB Bank account.

The offence was allegedly committed at CIMB Bank Menara KL Branch, Jalan Stesen Sentral between Feb 25, 2021, and July 16, 2021, and Feb 8, 2022 and July 8, 2022.

The charges were framed under Section 4(1)(b) of the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001, read together with Section 87(1) of the same law, which provides imprisonment of 15 years and a fine of not less than five times the amount or value of the proceeds from the unlawful activity or RM5 million, whichever is higher, *Bernama* reported.

The Pagoh MP was also charged in the Shah Alam Sessions Court last March 13 with one count of receiving RM5 million in proceeds from unlawful activities and the case had been transferred to the Sessions Court to be tried together with the other cases.