

# 'MUHYIDDIN CANNOT APPEAL'

**Former PM can't go to the Federal Court because the law does not allow it, says prosecution**

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**T**HE prosecution in Tan Sri Muhyiddin Yassin's abuse of power and money laundering case said the former prime minister cannot appeal to the Federal Court against a decision to reinstate four charges involving RM232.5 million linked to the

Jana Wibawa programme during this tenure.

Deputy public prosecutor Datuk Wan Shaharuddin Wan Ladin said as Muhyiddin's case was heard at the Sessions Court, the Court of Appeal (CoA) was the highest level he could turn to in order to make an appeal.

"We heard in court today (yesterday) that a notice of appeal will be filed at the Federal Court and an application for stay of proceedings will be made.

"I want to give an early notice to inform the court that we will make preliminary objections on the main grounds that the appeal is unknown in law and clashes with Section 87 of the Courts of Judicature Act 1964.

"The case is tried in the Session Court and the apex court for this case is the CoA. The appeal can-

not proceed further to the Federal Court.

"We will serve a written notice to the defence," he said during mention proceedings before Sessions Court judge Azura Alwi yesterday.

Muhyiddin's counsel, Datuk Hisyam Teh Poh Teik told the court they would proceed to challenge the decision of the CoA and they have filed the notice of appeal at the Federal Court.

"We respect the decision of the CoA. We will take further steps to challenge the decision and under the circumstances, we will be making an application for stay of proceedings before this court," he added.

Azura set April 3 for mention.

On Feb 28, the CoA granted the prosecution's application to set

aside a High Court decision to acquit and release the 76-year-old in August last year and ordered the case to be remitted to the Sessions Court here.

Muhyiddin wants to appeal the entire decision made by the CoA's Datuk Hadhariah Syed Ismail, Datuk Azmi Ariffin and Datuk S.M. Komathy Suppiah.

Hadhariah, who led the panel in an unanimous decision, said the high court judge had erred in law when he ruled that the four charges did not disclose any offence known to law.

The judges said the four charges against Muhyiddin were clear and unambiguous, contrary to the high court judge's ruling that it was defective and in bad faith.

On March 10 last year, Muhyiddin was charged with four counts

of using his powers as the then prime minister and Parti Pribumi Bersatu Malaysia president to obtain bribes amounting to RM232.5 million from three companies, namely Bukhary Equity Sdn Bhd, Nepturis Sdn Bhd and Mamfor Sdn Bhd as well as Datuk Azman Yusoff for the party.

He had allegedly committed the offences at the prime minister's office, Bangunan Perdana Putra, Federal Government Administration Centre in Putrajaya between March 1, 2020 and Aug 20, 2021.

On April 18 last year, Muhyiddin, who is also Perikatan Nasional chairman, filed an application to quash the four charges under Section 23 (1) of the Malaysian Anti-Corruption Commission (MACC) Act.