

# It ends at Court of Appeal

## Prosecutor: Muhyiddin cannot appeal to Federal Court

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**KUALA LUMPUR:** Tan Sri Muhyiddin Yassin (pic) cannot appeal to the Federal Court over the Court of Appeal's decision to overturn his acquittal in his RM232.5mil graft case, says a prosecutor.

This is because the former prime minister's case began at the Sessions Court, so the highest avenue of appeal would be the Court of Appeal as per Section 87 of the Courts of Judicature Act 1964, said deputy public prosecutor Wan Shahrudin Wan Ladin.

"Under Section 87, since the case is in the Sessions Court, the matter should end at the Court of Appeal.

"Hence, the prosecution is objecting to the stay application before this court for the Federal Court to determine (the) appeal," he said during case mention.

Wan Shahrudin was responding to an application for a stay of proceedings by Muhyiddin's defence team at the Sessions Court.

Muhyiddin's lawyer, Datuk Hisyam Teh Poh Teik, had informed Sessions Court judge Azura Alwi that they had filed a notice of appeal at the Federal Court against



the decision to reinstate Muhyiddin's power abuse charges on Feb 28.

"The application before the Federal Court will be a review of the appellate court's decision or other mode of appeal over Wednesday's decision. Hence, the defence would like a stay of proceedings," Hisyam said.

Azura then fixed the mention on April 3 for the parties to update the court on the appeal.

Wan Shahrudin appeared with deputy public prosecutors Ahmad Akram Gharib and Poh Yih Tinn, while Hisyam was with Datuk K. Kumaraendran and Chethan Jethwani.

On Feb 28, a three-member panel at the Court of Appeal reinstated the four criminal charges of power abuse involving RM232.5mil against Muhyiddin, overturning a decision by the High Court.

The panel, chaired by Justice Hadhariah Syed Ismail, said in its unanimous decision that the High Court had erred in law when it ruled that the charges were defective.

On Feb 15 last year, Azura had granted the prosecution's application for a stay of proceedings of three other money-laundering charges amounting to RM200mil, pending the appeal over the striking out of abuse of power charges against the Bersatu president.

Muhyiddin, 76, was charged with using his position as the then prime minister and Bersatu president to obtain bribes amounting to RM232.5mil from three companies, namely Bukhary Equity Sdn Bhd, Nepturis Sdn Bhd and Mamfor Sdn Bhd, and also from one Datuk Azman Yusoff, for the party.

He was charged with committing 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.