

'AGENTS PLANTED IN COMPANY'

# NAJIB MADE SCAPEGOAT IN SRC CASE, SAYS DEFENCE

Fraud perpetrated by Jho Low for personal enrichment, says lawyer

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THE High Court was told yesterday that fugitive businessman Low Taek Jho, better known as Jho Low, had his own agenda in leveraging SRC International Sdn Bhd or 1Malaysia Development Bhd (1MDB) for personal enrichment.

Lawyer Muhammad Farhan Muhammad Shafee, representing former prime minister Datuk Seri Najib Tun Razak, submitted that Jho Low had planted agents in the company, among them former SRC chief executive officer Nik Faisal Ariff Kamil, to execute his plans.

"They did not need Najib's involvement. In fact, involving Najib might have constrained them, as the former prime minister would have insisted on propriety if he had been aware (just as he later supported investigations when the issues came to light)," Farhan argued.

The submission was made during the hearing of SRC's US\$1.18



Former prime minister Datuk Seri Najib Razak leaving the Kuala Lumpur Courts Complex yesterday.  
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billion civil suit against Najib and Nik Faisal, who remains at large.

The lawyer further contended that the absence of evidence linking Najib to the alleged misuse suggested that, if any conspiracy existed, it was between Jho Low and Nik Faisal, facilitated by the company's directors and excluding Najib.

"In law, a person can only be held liable for conspiracy if he was a party to the agreement. One cannot be implicated merely for

being the figurehead of the company.

"We urge the court not to allow the enormity of fraud perpetrated by others to create a scapegoat liability for Najib in the absence of proof."

The hearing before judge Datuk Ahmad Fairuz Zainol Abidin will continue on Sept 24.

In May 2021, SRC, through its new management, initiated the suit alleging that Najib had committed breaches of trust and

abuse of power, personally benefited from company funds and misappropriated those funds.

The company is seeking a declaration holding Najib liable for the company's losses arising from his alleged misconduct, and an order compelling him to repay RM42 million in losses purportedly suffered by the company.

Najib is serving a jail term in Kajang Prison for the misappropriation of RM42 million from SRC International. **Bernama**