

MONEY-LAUNDERING CHARGES

# NAJIB GRANTED DNAA IN RM27M SRC CASE

Prosecution's failure to furnish crucial documents since 2019 cited by judge in decision

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**F**ORMER prime minister Datuk Seri Najib Razak has been granted a discharge not amounting to an acquittal (DNAA) on three money-laundering charges involving RM27 million linked to SRC International Bhd.

High Court judge K. Muniandy delivered the decision yesterday after the prosecution failed to furnish the defence with hundreds of documents related to the trial even though the charges were filed in 2019.

Muniandy, in his judgment,

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said the prosecution failed to show they could proceed with the trial in the near future as documents necessary to support the charges had yet to be procured, gathered and served on the defence.

The court said the deputy public prosecutor also confirmed that the prosecution would not be prejudiced if a DNAA were granted, as they could pursue the case once they were ready.

"This case against the accused has been pending in this court for six years since 2019 and not an iota of witness testimony has been pursued with, but only a plethora of postponements indicating that the prosecution is not ready with the prosecution of the case.

"Once the accused is charged in court, the charge cannot be hanging over his head for an indeterminate or indefinite period. That would be harsh and illegal.

"There is nothing to show that the prosecution is able to proceed with the case for the time being or proceed within a reasonable time. Thus, it is unlikely the case could be prosecuted expeditiously in

the short future," he ruled.

Muniandy added that once the accused was charged in court, the accused was entitled to due process of the law and must be accorded access to swift justice.

"The process of the court is abused by the myriads of postponements and the case is still in the court system waiting to be disposed since 2019, when the court is ever-ready to hear and determine the case in its entirety.

"This court is also mindful of the prevailing fact that the preferred charges against the accused dates to offences alleged to have been committed in 2014. Now it is 2025, and the case has not taken off for trial.

"By virtue of those factors, the most appropriate order is for this court to discharge the accused person without acquitting him, so that he is not saddled with the charges preferred against him."

On Feb 3, 2019, Najib claimed trial to three charges of money laundering involving RM27 million, allegedly received through his three AmPrivate Banking accounts at AmIslamic Bank Bhd,



Datuk Seri Najib Razak, who was granted a discharge not amounting to an acquittal on three money-laundering charges, at the Kuala Lumpur High Court yesterday. NSTP PIC BY EIZAIRI SHAMSUDIN

AmBank Group Building, Jalan Raja Chulan, on July 8, 2014.

The former Umno president is currently serving a jail term for misappropriating RM42 million in SRC International funds.

On Sept 2, 2022, he filed a petition for a royal pardon.

On Jan 29 this year, the Pardons Board halved his jail sentence from 12 to six years, and reduced his fine from RM210 million to RM50 million.

Yesterday, Najib's lead counsel Tan Sri Muhammad Shafee Abdullah said his client was pleased with the decision.

"He is happy simply because there are not too many cases hanging over his head.

"He has been asking for a DNAA for sometime.

"He can concentrate on the 1Malaysia Development Bhd

(1MDB) case now," Shafee said during a press conference after court proceedings.

He added that the prosecution could not appeal against Muniandy's decision.

"For this case, he is freed. But because he is serving another jail term, he goes back to jail."

At a separate event, Prime Minister Datuk Seri Anwar Ibrahim said he would not interfere in judicial matters following the court's decision to grant Najib a DNAA.

"That is a matter for the judge and the attorney-general.

"I do not interfere," he told reporters briefly when asked to comment on the matter after Friday prayers at Kampung Seri Aman mosque in Puchong, Selangor. **Additional reporting by Fuad Nizam**