

Anwar moves to clear his name in court records over sex case
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Nine years after being cleared for allegedly sodomising his wife's driver, Datuk Seri Anwar Ibrahim (pic) is now attempting to remove an offending paragraph in a Federal Court judgment which states that he had homosexual tendencies.

His lawyer Karpal Singh told The Malaysian Insider that the Federal Court will hear a review application to expunge the paragraph on November 13.

Karpal said political opponents, especially from Umno, have been using the judgment to discredit the opposition leader's character.

The application to remove the offensive paragraph was filed just before the May 5 general election through the legal firm Tetuan Abu Bakar & Yong.

PKR Legal Bureau chairman Latefa Koya added that apart from politicians, Umno-owned Utusan Malaysia had also been relying on the judgment as defence of justification everytime Anwar filed a defamation suit against the newspaper.

She said they were using the judgment to prove that Anwar's character was tainted.

"This practice has gained intensity over the past few years and we want to put a stop on the reliance of a paragraph which is hidden behind an unsubstantiated passing remark," she said, adding the application was filed out of necessity and that Anwar was not time barred from making the move.

Anwar is now the parliamentary Opposition leader and also PKR de facto leader.

On September 2, 2004 Anwar walked out a free man after the Federal Court, in a 2-1 decision, reversed his conviction for the sexual misconduct.

Judges Datuk Abdul Hamid Mohamad, who later became the chief justice and Tengku Baharudin Shah Tengku Mahmud ruled in Anwar's favour. Datin Paduka Rahman Hussein dissented.

However, Abdul Hamid who wrote the majority judgment said, "we find evidence to confirm that the appellants (Anwar and Sukma Darmawan Saasmitaat) were involved in homosexual activities and we are more inclined to believe that the alleged incident at Tivoli Villa did happen, sometimes ...".

Anwar and his adopted brother Sukma, were jointly tried in 1999 for sodomising Azizan Abu Bakar between January and March 1994 at Tivoli Villa in Kuala Lumpur.

Azizan was the driver of Datin Seri Dr Wan Azizah Wan Ismail.

The High Court in 2000 sentenced Anwar to nine years' imprisonment for sodomy and that sentence was to run consecutively after the expiry of his sentence of six years' imprisonment for corrupt practices.

The Court of Appeal a year later affirmed the sentence and conviction.

Former prime minister Tun Dr Mahathir Mohamad was the first beneficiary of the Federal Court judgment on Anwar's "homosexual tendencies".

During a press conference in 1998, he had made disparaging remarks about Anwar whom he claimed was a sodomist.

"I cannot have a sodomiser in my Cabinet; Imagine a gay PM... nobody will be safe," Dr Mathathir had said.

This was said days after Dr Mahathir had sacked Anwar as his deputy.

Anwar had then filed a RM100 million defamation suit against his former boss.

However, the suit was struck out in 2007 on grounds there existed a judicial finding by the Federal Court that the plaintiff (Anwar) had indeed taken part in homosexual acts.

Anwar is still embroiled in a second sodomy case although he was acquitted of the charge last year.

Putrajaya's appeal against Anwar's acquittal will be heard today.

The government is also attempting to engage lawyer Datuk Muhammad Shafee Abdullah to prosecute the case in the Court of Appeal.

Anwar was cleared of sodomising his former political aide Mohd Saiful Bukhari Azlan at Desa Damansara condominium on June 26, 2008. – September 18, 2013.

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