

**Putrajaya delaying Altantuya murder appeal, says Karpal Singh
Malaysian Insider**

Oct 9 , 2013

BY V. ANBALAGAN, ASSISTANT NEWS EDITOR

Putrajaya appears to be dragging its feet on the appeal against the acquittal of two former police commandos for the high profile murder of Mongolian Altantuya Shaariibuu, said veteran lawyer Karpal Singh.

He said the Attorney General's Chambers can file its petition of appeal and state reasons why the Court of Appeal was wrong when it acquitted the two policemen based on the written grounds of the judgment.

"They can expedite the appeal process to the Federal Court even without having the entire records of appeal," Karpal told The Malaysian Insider in Kuala Lumpur. The lawyer is holding a watching brief for his client, Setev Shaariibuu, the father of Altantuya.

The apex court could then call the matter for case management and fix the appeal dates, he said, adding there was no need to wait for the entire appeal records to file the petition of appeal.

Chief inspector Azilah Hadri and corporal Sirul Azhar Umar walked out free men after the appeal against their High Court convictions were allowed two months ago.

The policemen, formerly with the Special Action Unit (UTK), had been found guilty of murdering Altantuya in 2006.

Political analyst Abdul Razak Baginda, who was Altantuya's lover, was acquitted by the High Court for abetment without his defence being called.

Karpal said he was concerned as his client, Setev Shaariibuu, had filed a RM100-million suit against Abdul Razak, Azilah, Sirul and the government over his daughter's death.

"It has already been six years after the suit was filed but Setev's case cannot be heard unless this criminal trial is over and done with," he told The Malaysian Insider.

Karpal said he feared that the appeal would be further delayed if for some reason the policemen did not turn up for the proceedings.

"The criminal appeal cannot proceed without the presence of the respondents," he said.

He said the prosecution may then need time to find them and obtain a warrant of arrest to compel their presence in court.

Karpal (pic) said the public prosecutor should apply to detain the policemen pending the outcome of the appeal.

"There should be no discrimination. The prosecution has been obtaining court orders to detain locals and foreigners pending appeal and these persons were acquitted after facing charges that carried the death penalty," he said.

The prosecution filed its notice of appeal on August 23, the same day the policemen's

appeals were allowed.

The written judgment was made available on August 26.

A three-man bench chaired by Datuk Seri Mohamad Apandi Ali said in their judgment, among other things, the prosecution's failure to call DSP Musa Safri, a former aide-de-camp of Datuk Seri Najib Razak, had weakened the prosecution's case.

Meanwhile, an official from the appellate and trial division in the Attorney General's Chambers said they would wait to move the appeal to the Federal Court until the Court of Appeal registry provided the appeal records.

"We can only file the petition of appeal and state our reasons why the Court of Appeal was wrong in its judgment after obtaining the appeal records," said the official who spoke on condition of anonymity.

The prosecution will be given 10 days to file the petition of appeal once the appeal records are supplied.

The key appeal records will consist of grounds of judgment and notes of proceedings at the Court of Appeal.

Lawyer and Puchong MP Gobind Singh Deo said all steps must be taken by the prosecution and the judiciary to expedite the disposing of the appeal.

"This is a high profile public interest case and has generated a wide following locally and abroad. It must be brought to a logical conclusion soon," he said. - October 9, 2013.

Hakcipta © 2013 The Malaysian Insider

Source:

<http://www.themalaysianinsider.com/malaysia/article/putrajaya-delaying-altantuya-murder-appeal-says-karpal-singh>