

Anwar challenges decision to stop him from recalling ex-cop in sodomy case

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Datuk Seri Anwar Ibrahim (pic) has filed a notice of appeal to challenge the Court of Appeal's decision yesterday to dismiss his application to recall the investigating officer in his sodomy case.

His lawyer Karpal Singh said the papers were filed in the Court of Appeal registry this morning.

He said the notice of appeal was filed at the earliest time possible for the court to fix an early date to hear Putrajaya's appeal to overturn the opposition leader's acquittal by the High Court.

"We will wait for the Court of Appeal to prepare the record of appeal which includes the grounds of judgment as to why it dismissed Anwar's application to refuse calling the investigating officer.

"We will then file our petition of appeal which includes grounds why the Court of Appeal was wrong," Karpal said.

Court of Appeal Judge Datuk Aziah Ali, who chaired a three-man bench yesterday, has fixed February 28 for case management when the new appeal date could be decided.

Deputy Public Prosecutor Tan Sri Muhammad Shafee Abdullah said he would also write to the Court of Appeal to get an early date for the appeal hearing.

On January 9, 2012, the Kuala Lumpur High Court freed Anwar of sodomising Mohd Saiful Bukhari Azlan at the Desa Damansara condominium in Bukit Damansara on June 26, 2008.

Anwar, who is parliamentary opposition leader, is scheduled to contest in the Kajang state by-election, which is fixed for March 23.

Aziah, in dismissing Anwar's application, said he had failed to satisfy the requirements under the law to recall Superintendent Jude Blacious Pereira.

She said the prosecution's case would have remained intact even if former police officer's was excluded.

Anwar last week applied to recall the retired police investigating officer to the witness stand following Pereira's failure last month to be admitted as a lawyer after the Bar Council filed a preliminary objection in the High Court.

The Bar Council argued that the Human Rights Commission (Suhakam) had found the former police officer to be not a credible witness in its hearing into the arrest of five lawyers in 2009 at the Brickfields police station.

The Suhakam inquiry which found Pereira to be an untruthful witness was chaired by Shafee, who was then a commissioner. – February 13, 2014.

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