

PI Bala's family sues Najib, 8 others over forced exile in India
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Prime Minister Datuk Seri Najib Razak and eight others cannot shake off the spectre of the Altantuya murder as the next explosive chapter is a civil suit filed by the widow and family of the late P. Balasubramaniam (pic) over their forced exile in India which they say is worth RM840,000.

The private detective, who was a witness in the murder trial of Mongolian Altantuya Shaariibuu, hurriedly left Malaysia after he signed a second statutory declaration (SD) in 2008 which purportedly cleared Najib's involvement in the case.

The Malaysian Insider has sighted the suit filed by Balasubramaniam's widow, A. Santamil Selvi, and her children. The plaintiffs filed the suit in the High Court in Kuala Lumpur this past week against nine people.

The nine are Najib, his wife Datin Seri Rosmah Mansor, brothers Datuk Ahmad Johari Abdul Razak and Datuk Mohd Nazim Abdul Razak, senior lawyer Tan Sri Cecil Abraham, his son Sunil Abraham, commissioner of oaths Zainal Abidin Muhayat, carpet dealer Deepak Jaikishan and lawyer M. Arunapalam.

Case management has been fixed for June 23.

Lawyers appearing for the family are in the midst of serving the court papers to the defendants, including Abraham, who is facing a disciplinary hearing by the Advocates and Solicitors Disciplinary Board (ASDB) over his role in Bala's second sworn statement.

Selvi and the children are seeking damages for losses suffered during the exile between July 2008 and early last year. Balasubramaniam died of a heart attack on March 15 last year, weeks after returning from India.

In the suit, the family said the defendants caused Balasubramaniam's second SD "to be drafted without the instructions of the deceased and further causing the deceased to sign the same under threat and inducement".

The family is asking for a total sum of RM840,000 for the 56 months they were in exile from Malaysia. The sum includes renting apartments in India,

school fees, Balasubramaniam's widow's loss of income as a kindergarten teacher, a housing loan, transport costs, and other general and special damages.

The suit was filed by the late detective's lawyer Americk Singh Sidhu.

The late Balasubramaniam came into prominence after he worked for prominent political analyst Abdul Razak Baginda in the Altantuya case and when he retracted his first sworn statement about the matter on July 4, 2008.

Balasubramaniam had revealed in the second SD that he wished "to retract the entire contents of my statutory declaration dated July 1 2008. I was compelled to affirm the said statutory declaration under duress".

The second SD also read that all statements made were inaccurate and not the truth.

Balasubramaniam had then remained tight-lipped during a news conference at a hotel in Kuala Lumpur where his new lawyer Arunapalam was present to take questions from the media.

They left after distributing the second SD.

Arunapalam had said his client was under duress and that he was upset.

On July 3, 2008, Balasubramaniam had told a packed press conference organised by PKR de facto leader Datuk Seri Anwar Ibrahim the contents of the first SD which implicated Najib and several others in Altantuya's murder in 2006.

At all times, Americk was Balasubramaniam's counsel. Abraham is facing the Advocates and Solicitors Disciplinary Board for professional misconduct as he is said to have prepared the second SD for Balasubramaniam.

The Bar Council had lodged a complaint with the board at the instruction of members who attended its annual general meeting last year. Proceedings against Abraham which started in March is on-going.

Deepak had earlier admitted that he helped to get Balasubramaniam to repudiate his first SD by finding two lawyers to draft the new statement.

Americk had thrown light on the contentious SD when he read out a prepared statement at the Malaysian Bar's 67th annual general meeting (AGM) last year where he had said: "Tan Sri Cecil Abraham admitted to me that he was the one who drafted the second statutory declaration".

Americk had told reporters at the sidelines of the AGM that the directive to Abraham came from Najib, who was then the deputy prime minister.

Two former police commandos – Corporal Sirul Azhar Umar and Chief Inspector Azilah Hadri – who were charged with Altantuya's murder, were found guilty and sentenced to death by the Shah Alam High Court.

Their convictions, however, were overturned by the Court of Appeal last year.

Putrajaya is appealing the decision and the Federal Court is scheduled to hear the case on June 23.

Abdul Razak was acquitted in 2008 for abetting the policemen. – June 14, 2014.

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