

P.I. Bala's widow's civil suit against Najib, 8 others starts today
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By Muzliza Mustafa

The first case management in the civil suit filed against Prime Minister Datuk Seri Najib Razak and eight others by the widow of the late P.I. Bala was held today at the Kuala Lumpur Court Complex.

Najib is using the services of law firm Hafarizam, Wan and Aisha Mubarak to represent him in the civil suit.

Only one person has yet to respond to the court papers, said the plaintiff's lawyer Americk Singh Sidhu.

"We have not received any response from Deepak Jaikishan. We sent a letter to his home address. So we are still waiting," said Americk who representing Bala's widow, A. Santamil Selvi, and their children. Americk said the case management had gone well.

He said the second defendant, Datin Seri Rosmah Mansor, was likely to be represented by the same law firm representing her husband, Najib.

The others are brothers Datuk Ahmad Johari Abdul Razak and Datuk Mohd Nazim Abdul Razak, senior lawyer Tan Sri Cecil Abraham, his son Sunil Abraham, commissioner for oaths Zainal Abidin Muhayat, and lawyer M. Arunapalam.

"I was told that they are waiting for further instruction on the matter," said Americk.

The next case management is on July 10.

Selvi and her children are suing for losses suffered during their exile between July 2008 and early last year.

Balasubramaniam died of a heart attack on March 15, 2013, 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".

Balasubramaniam or famously known as P.I. Bala, who was a witness in the murder trial of Mongolian Altantuya Shaariibuu, left Malaysia in a hurry after he signed a second statutory declaration (SD) in 2008, which purportedly cleared Najib of involvement in the case.

The late Balasubramaniam came into the limelight 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 said 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 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 was 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 are ongoing.

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 today.

Razak was acquitted in 2008 for abetting the policemen. – June 23, 2014.

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