

**Don't rush Anwar's Sodomy II appeal, drop charge instead,
lawyers tell Putrajaya
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BY JENNIFER GOMEZ**

Datuk Seri Anwar Ibrahim's (pic) appeal against his second sodomy conviction and jail sentence should not be rushed through again, his lawyer N. Surendran said today after the Federal Court registrar fixed August 8 for case management.

The PKR vice-president said after walking out from the Federal Court registrar's chambers, where the court fixed Aug 8 for the case management of Anwar's appeal and also the prosecution's cross appeal to enhance his five-year jail sentence.

According to another of Anwar's lawyers, Ramkarpal Singh, the registrar also set the same date for the case management on Anwar's application to disqualify Umno lawyer Tan Sri Muhammad Shafee Abdullah, who was appointed ad hoc deputy public prosecutor to lead Putrajaya's case to overturn the sodomy acquittal.

On March 7, the Court of Appeal overturned Anwar's acquittal in 2012 for sodomy and sentenced him to five years' jail.

Ramkarpal filed an appeal against the conviction on March 10. Anwar is free pending appeal.

Anwar had also made three applications to disqualify Shafee, with the third one pending at the Federal Court.

Surendran told reporters that the indication was that the court wanted to fix the hearing dates by September.

"There should not be any unusual rush to hear the appeal like what happened at the Court of Appeal the last time.

"Dates are fixed when the documentation is done and subject to the availability of the counsel involved," he said.

According to Surendran, lead defence counsel Sulaiman Abdullah was not well and as such his progress needed to be taken into account before hearing dates could be fixed.

He also called on Prime Minister Datuk Seri Najib Razak to drop the charge against Anwar immediately, saying that the attempt to send the country's Opposition leader to jail was an embarrassment.

"He should withdraw this trumped up and fabricated charge immediately," Surendran said.

The court has served the full appeals record to Anwar, an indication that are plans to rush through the appeal, Surendran said.

Anwar, who is the Permatang Pauh MP, risks losing his parliamentary seat and could see his political career coming to a premature end should the apex court uphold the Court of Appeal ruling.

Under the Federal Constitution, an elected representative is disqualified from office if fined more than RM2,000 or jailed for a term exceeding one year.

The sodomy punishment under Section 377B of the Penal Code carries a jail term of up to 20 years and the offender shall also liable to whipping.

Anwar was found guilty of sodomising his aide, Mohd Saiful Bukhari Azlan, at an upscale condominium in Bukit Damansara on June 26, 2008.

Trial judge Datuk Mohamad Zabidin Mohd Diah ruled on January 9, 2012, that he doubted the integrity of samples taken for DNA testing from Saiful as the samples could have been compromised before they reached the chemistry department for analysis.

However, the three-man Court of Appeal bench, led by justice Balia Yusof Wahid, in their oral decision said Zabidin had erred in his findings as the samples were not compromised.

The appellate court ruling, four days before the nomination day for the Kajang by-election, scuttled Anwar's hopes of becoming the Selangor menteri besar as he was PKR's candidate for the by-election. - July 11, 2014.

- See more at: <http://www.themalaysianinsider.com/malaysia/article/dont-rush-anwars-appeal-in-sodomy-ii-drop-the-charge-instead-lawyers-tell-p#sthash.a7DgCmF3.dpuf>

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