

Anwar's Sodomy Appeal Enters Fifth Day Of Hearing At Federal Court
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PUTRAJAYA, Nov 3 (Bernama) -- The hearing of the final appeal of PKR advisor Datuk Seri Anwar Ibrahim against a sodomy conviction and five-year jail sentence entered its fifth day today at the Federal Court, with the prosecution resuming its submission adjourned from Friday.

Lead prosecutor Tan Sri Muhammad Shafee Abdullah told reporters after the hearing adjourned on Friday that he had covered 20 per cent of his 205-page submission.

A five-man bench chaired by Chief Justice Tun Arifin Zakaria is hearing Anwar's appeal to set aside his conviction and sentence imposed by the Court of Appeal that had overturned a High Court decision.

The Court of Appeal had found Anwar, 67, guilty of having sodomised his former aide, Mohd Saiful Bukhari Azlan, 27, at Unit 11-5-1 of the Desa Damansara Condominium in Jalan Setiakasih, Bukit Damansara, between 3.10 pm and 4.30 pm on June 26, 2008.

The charge, under Section 377B of the Penal Code, carries a jail sentence of up to 20 years, and whipping, upon conviction.

The other four judges on the Federal Court panel are Court of Appeal President Tan Sri Md Raus Sharif and Federal Court judges Tan Sri Abdull Hamid Embong, Tan Sri Suriyadi Halim Omar and Datuk Ramly Ali.

The defence is expected to reply to the prosecution's argument tomorrow.

Datuk Seri Gopal Sri Ram, a former Federal Court Judge, is leading a team of 14 defence lawyers, among them N. Surendran, Sangeet Kaur Deo and Ramkarpal Singh.

The appeal hearing, which was initially set for two days from Oct 28, has dragged on for six days and is expected to end tomorrow.

If Anwar loses his appeal, he could be disqualified as the MP for Permatang Pauh as per Article 48(1)(e) of the Federal Constitution which states that an MP would be disqualified if he or she is sentenced to a jail term of more than a year or fined more than RM2,000.

This is the second case of sodomy against Anwar.

In the first case, he was found guilty of having sodomised his family driver Azizan Abu Bakar at Tivoli Villa here in 1994 and was sentenced to nine years' jail by the High Court on Aug 8, 2000.

The High Court had ordered Anwar to serve the sentence after the completion of his six-year jail term for corruption. The High Court had convicted Anwar on four charges of corruption on April 4, 1999.

However, after spending nearly six years in jail for corruption, Anwar was released on Sept 2, 2004, as the Federal Court, led by Justice Tun Abdul Hamid Mohamad who went on to become the chief justice, overturned his conviction and set aside the jail sentence on the charge of having sodomised Azizan, in a 2-1 majority decision.

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