

Sukma's re-trial: Dr M to be called to testify

NS - 6/11/2006

KUALA LUMPUR: An application will be made today to order former prime minister Tun Dr Mahathir Mohamad to testify in the re-trial of Sukma Darmawan Sasmitaat Madja, who was charged with sodomy.

Counsel for Sukma, Gobind Singh Deo, told the *New Straits Times* that he would make the application at the beginning of proceedings at the Sessions Court today.

Gobind said he had yet to receive the prosecution's list of witnesses, but he would be making the application early for the former prime minister to take the stand as a defence witness.

"He will be an important witness if Sukma is ordered to enter his defence," Gobind said.

Other familiar faces expected to take the witness stand are former deputy prime minister Datuk Seri Anwar Ibrahim and Inspector-General of Police Tan Sri Musa Hassan, who was then the Federal CID deputy chief.

Sukma is the adopted brother of Anwar. It is learnt that the prosecution has, so far, not subpoenaed Anwar to testify in the 10-day trial.

Although Gobind has not been given the list of prosecution witnesses, he believes at least 25 of them are slated to take the stand.

Gobind said Sukma arrived from Jakarta yesterday and was looking forward to clearing his name at the trial.

Sukma, 45, has been re-charged for allowing Anwar to sodomise him at the former deputy prime minister's residence at No 47, Jalan Damansara, Kuala Lumpur in April 1998.

The charge read: "That you, in the month of April 1998, at night, at the official residence of the deputy prime minister at No 47, Jalan Damansara in the Federal Territory of Kuala Lumpur, committed an act of gross indecency with one Datuk Seri Anwar Ibrahim by allowing him to introduce his penis into your anus, and you have, thereby, committed an offence punishable under Section 377D of the Penal Code".

Sukma is facing a maximum two-year im-

prisonment if convicted.

In September 1998, Sukma confessed to allowing Anwar to sodomise him and pleaded guilty to the charge. He was subsequently jailed before being released on bail.

But, on June 14 this year, the Court of Appeal described his 1998 guilty plea as "manifestly unsafe" because there had been a suppression of material facts which could prove his innocence.

The court then ordered a re-trial.

Sukma now runs a carpet business with his mother in Jakarta. Several of his family members are expected to be in court today in a show of support.