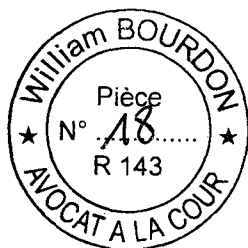D 22/1
3 pages

ITEM 10.6

Article on Baginda's affidavit given in the murder trial

aide of PM ; wife member of the board of
the company who had
commission?

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Saturday January 20, 2007

Judge: Enough grounds to prove Razak abetted in murder

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SHAH ALAM: A High Court judge found the events in Abdul Razak Baginda's tell-all affidavit suggested his involvement in the murder of his Mongolian lover Altantuya Shaariibuu.

"The events clearly showed that there was enough grounds to prove that he abetted in the murder allegedly committed by two police personnel," said Justice K.N. Segara before throwing out Razak's bail application.

The second reason the judge gave was that Razak had failed to submit an updated medical report on his ill health.

Although the judge qualified that he had not found Razak and the other two accused guilty, he said that the impression he got was that "Razak had motive to get rid of" Altantuya.

"The question of him fearing for the safety of himself and his family was not the real issue. These are just the red herrings.

"Money was the real issue. He had Ghurkhas and police friends to help him," he said, referring to Razak's claims in the affidavit about meetings he had with police officers Deputy Supt Musa Safri and C/Insp Azilah Hadri days before his mistress' death.

In custody: Razak being led to the lock-up after he was denied bail on Friday. In the foreground are his wife Mazlinda Makhzan and daughter Roweena.

At one point, Razak's counsel Wong Kian Kheong read out the events on the morning of Oct 18 last year where Chief Insp Azilah called Razak and told him that he had killed six or more people before and therefore could help stop the harassment by the woman.

This caused Justice Segara to interject: "You have got here a person who claims that he had killed before and he can settle your problem.

"And what is your problem? You were threatened by a woman and you want her out of sight. Period. Yet, you go on dealing with that police officer."

Wong (referring to affidavit and reading): I (Razak) told Chief Insp Azilah not to do anything untoward against Altantuya. If any such thing were to happen to her, her family will look for me. I believe that as a police officer, he would not commit a crime. I only asked him to get police to patrol around my house. I gave him my address and Hotel Malaya where the deceased was staying.

Judge: Whatever for did he give the address of the hotel to this man who

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Judge: Whatever for did he give the address of the hotel to this man who said he had killed before? The relationship had ended in 2005 and suddenly, she is back in the picture in 2006. You don't call the authority but a crime was committed after that. ·

Wong: The accused took Chief Insp Azilah as a police officer who can help.

Judge: Is your client an ordinary layman for you to give me such an answer?

Wong: My client did admonish Chief Insp Azilah.

Judge: Why call Azilah and not the police directly?

Wong: To protect the family.

Judge: This is your version but there are a lot of gaps. This is one man who claimed he had killed yet you went to him.

Wong: But the accused had admonished him.

Judge: Who is he to admonish a police officer? He had no right. Is he the boss of this person? Is he the IGP? These are questions that you cannot run away from answering.

Wong: He wanted Azilah to help him in a legal manner.

Judge: Come on, you expect the court to believe this? He has such a big establishment. He can just walk into the Brickfields police station and see someone. Anyway, I have not formed any conclusion about your client's guilt. I am only questioning based on what is stated in the affidavit.

"The whole thing is here. He called the person to get rid of her. No need to go any further in relation to abetment. The police officer is no longer helping him as a police. He is there in his personal capacity. This particular episode has flashed the entire abetment act."

Justice Segara said that it was in this light that the court would look at the case.

"We will only know at the time of the trial when we hear all the other people's versions. Then, we will know whether he had asked to kill or not. At the moment, he abetted in contacting Azilah, knowing very well that he had killed six people," he said.

When counsel read out the next day's events but skipped the part that Razak had gone to the Deputy Prime Minister's office for official reason, Justice Segara said:

"Why did you skip that? There is nothing to worry. He just went there. It is in the affidavit. He should have known better and go straight to the police or IGP and not embarrass the DPM.

"Facts must surface. You cannot hide. The truth will always prevail."

Wong then read out the omitted part. Here Razak claimed that he had met DSP Musa in the DPM's office and asked what happened to Altantuya but DSP Musa said Chief Insp Azilah did not update him.

A few days later, Razak asked DSP Musa again and the latter gave the same answer as before.

This part of the affidavit, the judge said, was an attempt to drag people in and create embarrassment.