

# Convicted ex-policeman escapes the gallows

By ESTHER NG

KUALA LUMPUR: A former police constable who was sentenced to death in 1993 for trafficking in 378.7gm of cannabis escaped the gallows when the Federal Court commuted the sentence to 10 years' jail.

Nor Azan Nor Azlan, 32, smiled at counsel Kitson Foong when the court, comprising Court of Appeal judge Datuk Lamin Haji Yunus @ Derani Haji Mohd Yunus and Federal Court judges Datuk Wira Wan Yahya Pawan Teh and Datuk Chong Siew Fai, set aside his death

sentence.

The court, however, ordered him to be whipped 10 times for possession of the drug.

In passing judgment, Lamin said Nor Azan should have set a good example instead of doing what he had done.

On Aug 28, 1993, the Alor Star High Court found Nor Azan guilty of trafficking at the Bukit Kayu Hitam-Changloon Highway near Kubang Pasu, Kedah on Sept 15, 1992.

Earlier, in his submission, Foong said the trial judge had failed to consider whether the prose-

cution had proven the issue of trafficking.

"I concede to the presumption of possession of the drugs but there was no evidence in the (trial) judge's decision to indicate there was trafficking."

Foong urged the court to let Nor Azan's jail term to begin from his date of arrest in September 1992.

However, DPP Zauyah Be Loth Khan pointed out that Nor Azan was a policeman and "a heavy sentence would be a deterrent factor."