

Court upholds labourer's death sentence

By ESTHER NG

KUALA LUMPUR: The Federal Court yesterday upheld a High Court decision in sentencing a labourer to death for murdering a 28-year-old man nine years ago.

Ahmad Sadimin, 62, appeared calm when Federal Court judges Tan Sri Haji Mohd Azmi Kamaruddin, Datuk Peh Swee Chin and Datuk Chong Siew Fai, dismissed his appeal.

Azmi, in passing judgment, said the bench was unanimous in holding that Ahmad's defence of self-

defence "could not be raised here" adding there was no defect by the trial judge in summing up the case.

The Shah Alam High Court, on May 13, 1990, had sentenced Ahmad to death for intentionally causing the death of one Mohd Zalai Salim at a house in Kampung Tok Muda, Kapar, Klang, on June 21, 1986.

The Federal Court also dismissed the appeal of contractor Wong Boon Man, who was sentenced to death by the High Court for possessing two revolvers and 36 rounds

of ammunition.

In rejecting the appeal, Azmi said there was no reason to interfere with the High Court's decision.

Wong was found guilty of having the unlawful items at a house in Taman Sentosa, Johor Baru, on July 16, 1988 and was sentenced to death.

Lorry driver Mansor Johary, sentenced to death under firearms charges, had his sentence commuted to 12 years' imprisonment (from the date of his arrest on February 1991) instead following his appeal.

The court reduced Man-

sor's charge to one of possessing firearms and also ordered him to be whipped six times.

Azmi said Mansor's conviction under Section 3 of the Firearms (Increased Penalty) Act, could not stand because "there was no substance to indicate that it (the gun) had been fired."

Mansor was found guilty by the High Court on Jan 27, 1993, for injuring police constables Nor Mubin Yahaya and Ahmad Tajuddin Safeei by using a gun near a bank in Kampung Baru, Sungai Petani on Feb 13, 1991.

Shop assistant Abdul Jalil Sagaf, also convicted under firearms charge, had his death sentence set aside when the court allowed his appeal.

The court instead sentenced him to 12 years' jail from the date of his arrest in Dec 1986 and ordered him to be given six strokes of the rotan.

On Nov 18, 1989, the High Court found Abdul Jalil, 28, guilty of discharging a .38 special cobra revolver with the intent of causing the death of a shopkeeper in Ampang on Nov 29, 1986, during a scheduled robbery.

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