



Acquitted and Discharged for Attempting to Sell Over 1kg of Methamphetamine

Cheang Sue Lyn

SHAH ALAM:

Two men were acquitted the High Court 7 here today on charges of drug trafficking under section 39B of the Dangerous Drugs Act 1952. If convicted, the Accused could have faced the death penalty.

Anya Michael Onyedikachi and Sopain bin Othman were jointly charged for an incident on the 30 November 2014 at around 7:15pm when the two men were arrested at a Petron petrol Station in Sungai Besi on the KL-Seremban Highway.

ASP Anuar Bin Hj Md Azali @ Md Ghazali testified that he led a team from JSJN Bukit Aman and arrested Sopian bin Othman in his silver Mercedes Benz. A search of the vehicle uncovered a black plastic box with the words SUPER TAPER printed on it, inside was a large quantity of powdered crystals later confirmed to be Methamphetamine. The police also found 21 Eremin 5 pills in his pockets.

Insp Mohd Faizal Bin Mohd Ali testified on the arrest of Anya Michael Onyedikachi from a black Toyota Almera. The police found no contrabands on the Nigerian man, but did find a few sets of keys and a significant amount of cash.

The Prosecution allege that the men met up to conduct a drug deal in which Sopain was purchasing from Anya.

In total, 18 witnesses were called.

The Defence stressed that the Accused had declared their innocence at the earliest opportunity and that there were no contrabands found on the Accused's person or in his car. It was also argued that Prosecution's case lacked any evidence of trafficking under section 2 of the Dangerous Drugs Act 1952 or of common intention under Section 34 of the Penal Code.

Dato's Geethan Ram Vincent (who represented Anya Michael) contended that the star prosecution witnesses were not credible as their evidence was contradictory to that presented in another case arising out of the same incident.

YA Puan S.M Komathy A/P Suppiah found that she could not convict beyond reasonable doubt and thus would be acquitting and discharging the Accused with immediate effect.