

Court frees man serving life sentence for firearms offence

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A three-member Court of Appeal bench said there were merits in T Jegan's appeal to set aside the conviction and sentence upheld by the High Court three years ago. (Reuters pic)

PUTRAJAYA: A canopy supplier, faced with the possibility of spending the rest of his natural life in prison for trafficking in firearms, won his freedom after being in jail for seven years.

A three-member Court of Appeal bench chaired by Kamaludin Said said there were merits in T Jegan's appeal after reviewing the appeal records and hearing oral submissions.

"You are the luckiest man today having been in prison since 2015," said Kamaludin, who set aside the conviction and sentence upheld by the High Court three years ago.

Others on the bench were Justices Ahmad Nasfy Yasin and Abu Bakar Jais.

Lawyer Geetan Ram Vincent earlier submitted that the exhibits tendered during the trial had not been identified in the presence of the trial judge.

"A positive identification of exhibits by all material prosecution witnesses is crucial to establish the chain of evidence," said Vincent, who was assisted by Revin Kumar.

He said the investigating officer had also failed to make a positive identification of the exhibits.

Deputy public prosecutor Eyu Ghim Seng conceded the process oversight but said it had not prejudiced the appellant in any way.

Jegan, 36, was charged with trafficking three pistols and a revolver in front of a house in Jalan Bukit Mewah in Kajang about 7.30am on Dec 18, 2015.

He was also charged with possessing 69 rounds of ammunition at the same place and time.

On March 29, 2019, the High Court sentenced Jegan to imprisonment for a term equivalent to the rest of his natural life, and six strokes of the rotan for trafficking the guns under the Firearms Act (Increased Penalty) 1971.

The trial judge also sentenced him under the Arms Act 1960 to an additional four years in prison for possession of ammunition.

Meanwhile, the same bench reduced the jail term of a former worker at a glove-making factory from seven to four years for outraging the modesty of a 17-year-old girl, three years ago.

The appeals court, however, maintained the three strokes of rotan that was imposed on M Muthamilmaran following his conviction by the lower court.

Muthamilmaran, 26, began his jail term today, having been on RM20,000 bail pending today's final appeal.

Kamaludin also announced that the Court of Appeal was maintaining the lower court's order that Muthamilmaran undergo counselling while in prison and be placed under police supervision upon serving his sentence.

Muthamilmaran committed the offence by touching a girl's breast while riding a motorcycle at Taman Klang Utama about 12.30pm on May 21, 2019.

He was charged under Section 14 (a) of the Sexual Offences Against Children Act 2017, which prescribed a maximum jail term of 20 years and whipping for convicted offenders.

Early last year, the sessions court imposed the seven-year jail term sentence and ordered that he receive three strokes of the rotan after he was found guilty. The sentence was affirmed by the High Court.

Deputy public prosecutor Khairul Aisamuddin Abdul Rahman prosecuted while Amirul Jamaluddin represented Muthamilmaran.