

Rosmah withdraws appeal to recuse judge Zaini from presiding over her tax evasion and money laundering trial



PUTRAJAYA (March 10) : Datin Seri Rosmah Mansor has withdrawn her appeal to recuse Judge Mohamed Zaini Mazlan from presiding over her second criminal trial involving money laundering and tax evasion.

Following this, the Court of Appeal dismissed the appeal, which had been fixed for continued hearing on March 17.

A three-member bench led by Datuk Hanipah Farikullah had, at the last session, asked the prosecution and defence to prepare further submissions on whether the bench has the jurisdiction to hear the appeal on the recusal.

Rosmah's lawyer Datuk Geethan Ram Vincent confirmed on Friday (March 10) that his client had filed a notice of discontinuance on March 1.

“This follows that Zaini is no longer a judge (in Kuala Lumpur),” he said in a text message reply to The Edge.

Zaini was elevated to the Court of Appeal in January, and as a result he would not be presiding over the trial anymore. The case is likely to be handled by Judge K Muniandy, who replaced Zaini.

Rosmah's second trial is scheduled to start on May 2.

Zaini had on Sept 1 convicted Rosmah in her first criminal trial involving three counts of graft relating to a solar hybrid graft project for 369 schools in rural Sarawak. She was sentenced to 10 years in jail and fined RM970 million.

The wife of former prime minister Datuk Seri Najib Razak was found guilty of soliciting RM187.5 million, and receiving RM6.5 million, from Jepak Holdings Sdn Bhd managing director Saidi Abang Samsudin, the contractor of the solar hybrid project.

Rosmah has appealed against the conviction and sentence.

In her second trial, Rosmah is charged with 17 counts of money laundering and tax evasion of RM7.1 million, allegedly transferred to her personal bank account between 2013 and 2017. The charges were framed under the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001.

Under the first eight charges, she is accused of being involved in money laundering by directly engaging in a transaction involving proceeds of unlawful activities amounting to RM1.1 million that were deposited into her account.

For the ninth to the 12th charges, Rosmah is alleged to have directly engaged in 227 transactions involving proceeds of unlawful activities totaling RM6 million, which were also deposited into her account.

On the 13th to 17th counts, she is accused of engaging in money laundering by failing to file a return on the sum (for the five years — 2013-2017) that was deposited into her account as required under the Income Tax Act 1967.