



Lai (left) seen leaving the courtroom after the case proceeding.

Man escapes death sentence in ruling by Federal Court

Desiree David

KUCHING: A man who was sentenced to death escaped the gallows yesterday when the Federal Court here sentenced him to 17 years in jail and 10 strokes of the rotan on a charge of possessing 855.8 grams of methamphetamine.

The decision was made by a three-judge panel comprising the Chief Justice of Malaya Tan Sri Azahar Mohamed Along, Chief Justice of Sabah and Sarawak Tan Sri Abang Iskandar Abang Hashim, and Datuk Mary Lim Thiam Sian against 33-year-old Lai Thai Leong.

The court while giving its brief reason stipulated that the death sentence imposed by the previous court for drug trafficking offence should be replaced with drug possession offence under Section 12 of the Dangerous Drugs Act (DDA) 1952 read together with Section 39A(2) of the same Act.

The court cannot assume that Lai has control and ownership over the box containing the drugs in question, it ruled.

Previously, Lai was charged with committing the offence on May 12, 2016 at a car park near Jalan Tun Ahmad Zaidi Adruce here at 11am.

According to the facts of the case, he had picked up a parcel from a courier office when he was apprehended by police.

On April 19, 2018, the High Court here imposed mandatory death sentence on Lai after he was convicted under Section 39B(1)(a) of the DDA 1952.

This decision was upheld again during the appellant's appeal at the Court of Appeal on Oct 22, 2019.

Lai subsequently appealed to the Federal Court through lawyers Roger Chin, Osman Ibrahim, Ernie Natasha Azman and Nur Atiqah Kulah.

The prosecution was conducted by deputy public prosecutor Nahra Dollah.