

8 death row inmates' sentences commuted

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Some of the prisoners being escorted at the court.

KOTA KINABALU: A 29-year-old deaf and mute man was among eight individuals whose death sentence was commuted to life imprisonment of between 33 years and 30 years by the Federal Court, Thursday. The three-member bench comprising Justices Datuk Zabariah Mohd Yusof, Datuk Harmindar Singh Dhaliwal and Datuk Rhodzariah Bujang allowed Mohd Faizul Abdul Jalil's review applications under the Revision of Sentence of Death and Imprisonment for Natural Life Temporary Jurisdiction of the Federal Court) Act. Justice Zabariah set aside the death sentence imposed on Faizul and substituted it with life imprisonment of 33 years from the date of his arrest on Oct 11, 2016. She also ordered 12 strokes of the rotan on Faizul. On Oct 12, 2018, the High Court here sentenced Faizul to death after finding him guilty of murdering his former girlfriend one Asrina Sahran, 15, at 9.10pm on Oct 11, 2016 in front of a house at Kg Ranau, Kota Marudu. Faizul lost his appeals at the Court of Appeal on Nov 26, 2019, and at the Federal Court on Oct 4, 2021. Earlier, Faizul's counsel Hamid Ismail submitted, among others, that the applicant was remorseful and that it was not the rarest of the cases as the applicant stabbed the victim once and also surrendered to the police after the incident. He was also co-operative. Hamid proposed 30 years' imprisonment. The prosecution, as respondent, applied for the death sentence to be maintained and argued, among others, that it was a crime of passion in which the applicant acted on the rejection of the deceased of his proposal. The single stab wound on the bowel area led to the victim's fatal end due to blood loss. The prosecution submitted that should the court allowed the application, they would apply for a jail term of not less than 35 years.

Meanwhile, the other four death row inmates, who had their death sentences for murder set aside and commuted with imprisonment were Indonesians Alsar Imagu, 44, Hasyim Rahman, 50, Rewang Tempe, 41, Baharudin @ Kadir Abu Nawas, 42. They were convicted and sentenced to death by the separate High Court in Sandakan and Tawau. The apex court allowed their applications and replaced

Alsar's sentence with 33 years' jail while the rest of the men's sentences were substituted to 30 years each. Alsar, Hasyim, Rewang and Baharudin, who were respectively arrested on Aug 1, 2023; Sept 25, 2011; March 12, 2012; and Nov 14, 2014 were ordered to serve the imprisonment sentence from the date of their arrest. Alsar, Rewang and Baharudin were also ordered to be caned 12 times each while Hasyim was spared the whip due to his age. The other three individuals, whose application for review was allowed and their death sentences for drug trafficking were set aside and substituted were Andy Majudil, 43, and foreigners Romi Ali, 34, Juris Rualdes, 54. Their sentence was commuted to 30 years each. Andy, Romi and Juris, who were arrested respectively on Nov 19, 2013, Feb 4, 2013; and Sept 29, 2014, were ordered to serve the imprisonment sentence from the date of their arrest. They were convicted and sentenced to death by the separate High Court here and Tawau for trafficking drugs weighing 7,124.25gm (Juris), 1,155.96gm (Romi), and 745.6gm (Andy). Andy and Romi were also ordered to be caned 12 times each while Juris was spared the whip due to his age.

In Thursday's proceedings, the prosecution objected to the application of the murder case and did not object to the review application of the drug trafficking case. Attorney-General's Chambers (Appellate and Trial Division) head Datuk Mohd Dusuki Mokhtar, Deputy Public Prosecutors Mohd Amril Johari and Zulkipli Abdullah appeared for the prosecution as respondents. Alsar, Hasyim and Baharudin were represented by counsel Farazwin Haxdy, while Rewang and Romi were represented by counsel Jhassary Kang while counsel Shahlan Jufri representing Andy and Juris.