

Jail, fine for foreigner over crash that killed Sabah Court director

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SIBU: The Sessions Court here yesterday sentenced a Chinese national to five years in prison and a RM20,000 fine, in default three-month imprisonment, for dangerous driving that resulted in the death of former Sabah State Court director Marutin Pagan.

Judge Rosli Ahmad convicted Sun Xue Song, 42, on his own guilty plea to an amended charge under Section 41(1) of the Road Transport Act 1987, which carries a maximum jail term of 10 years and a fine of up to RM50,000 upon conviction.

Rosli also ordered for Sun's jail sentence to run from the date of his arrest on March 30 and disqualified him from holding a driving licence for five years.

Sun committed the offence on March 30, at around 1pm, at the Kanowit roundabout here.

According to the facts of the case, Sun, who was driving a Proton X70, deliberately ignored the give-way road markings leading to the roundabout as he proceeded to drive dangerously before colliding with a Toyota Fortuner.

Marutin, 56, and three other passengers were travelling in the Toyota Fortuner driven by his daughter, which was heading towards the Sibu exit.

Sun's act of dangerous driving resulted in a collision between the two vehicles, which caused the Toyota Fortuner to roll



Sun being led out of the courtroom, following the sentencing.

several times before ending up on its side off the roundabout.

Marutin, who sustained several injuries from the impact of the crash, was taken to Kanowit Hospital where he was later pronounced dead.

A post-mortem result determined his cause of death as head and chest injuries.

In mitigation, Sun, represented by defence counsel Terence Tiong, requested the court to consider his clean record, full cooperation with authorities, genuine remorse, financial assistance to the victim's family, dependents' plight, and the unintentional nature of the tragedy.

Tiong said Sun was supporting his seven-year-old son and 70-year-old mother, who relied entirely on his income, care, and support for their survival and well-being.

The first-time offender with no

previous convictions in Malaysia or his home country had given RM70,000 to Marutin's widow as a bereavement payment to express deep remorse and sorrow.

Tiong said Sun had also entered a guilty plea at the earliest opportunity.

He added that another mitigating factor was that the scene of the accident at Jalan Kanowit-Durin was known to be 'accident-prone'.

In her submission, deputy public prosecutor Cynthia Emmelda Jerry requested the court to consider the degree of culpability where Sun had deliberately ignored the road markings before dangerously driving into the roundabout.

She also submitted that the sentence to be imposed must have a deterrent effect on other potential road users as well as for public interest.