

CBT: Cancer-stricken woman placed on good behaviour bond



Desiree David

desireedavid@theborneopost.com

KUCHING: A stage four colon cancer patient was placed on a three-year good behaviour bond by the Sessions Court here yesterday after she was found guilty of 16 counts of criminal breach of trust (CBT) involving RM21,700.

Judge Afidah Abdul Rahman, in exercising her discretion under Section 294 of the Criminal Procedure Code, also imposed an undeposited bail of RM10,000 with one local surety on Ivy Estivia Lita, 34.

In passing the sentence, the judge took into account the fact that Ivy is undergoing regular chemotherapy.

She said Ivy, a former senior cashier at a supermarket in a shopping mall, needed to consistently attend her medical appointments to ensure smooth treatment and avoid any health complications.

Earlier, the accused pleaded for the lightest possible sentence, citing her current difficulty in maintaining personal hygiene due to her medical condition.

She explained that she undergoes chemotherapy every two weeks and is required to change her stoma bag regularly.

"I have also brought along all the relevant documents to prove that I am currently receiving treatment and have regular



Ivy (left) and her husband exit the courtroom at the end of the proceedings.

medical appointments," she told the court.

Ivy had claimed trial on Aug 10, 2023 and chose to remain silent during the trial.

However, the court found that she had failed to raise any reasonable doubt against the prosecution case and ordered to enter her defence, with yesterday set for sentencing.

All the charges were framed under Section 408 of the Penal Code, which carries a minimum

jail term of one year and a maximum of 14 years, along with whipping and a possible fine upon conviction.

According to the charges, Ivy carried out 21 top-up transactions amounting to RM21,700 between Jan 5, 2023 and Feb 20, 2023.

It was informed that the human resources officer at the mall discovered discrepancies involving the misuse of company funds through top-up transactions made to a

membership card registered under Ivy's name.

Upon reviewing the company's system, it was found that she had carried out the top-ups for personal use without making any payments to the company.

This led to a police report being lodged, which resulted in her arrest. Deputy public prosecutor Mohamad Aiman Mutallib Mohamad Shariff prosecuted, while Ivy was unrepresented by legal counsel.