

# Having syabu: 12 years' jail, caning for man

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*Yusof was then arrested after the police found that there were three small packets containing a clear substance suspected to be syabu.*

**KOTA KINABALU:** A 42-year-old clam seller was sentenced to 12 years' jail and ordered caned 10 times by the High Court for having 70.43gm of syabu. Mohd Yusof Saililah pleaded guilty before Judge Leonard David Shim to the alternative charge of having the syabu at 7.30pm on Feb 24, 2022, at the parking area of Lorong Durian 1A, Inanam. The alternative charge was offered by the prosecution to Yusof, who was supposed to stand trial. The charge, under Section 12(2) of the Dangerous Drugs Act 1952, is punishable under Section 39A(2) of the same Act. The accused face imprisonment for life or a jail term of not less than five years and whipping not less than 10 strokes, on conviction. Yusof was originally charged with trafficking the drugs under Section 39B(1)(a) of the Dangerous Drugs Act (DDA) 1952 which carries a punishment of either the death penalty or life imprisonment and whipping with a minimum of 15 strokes, on conviction. Counsel Korvent E. Jomiji, representing Yusof, requested a lenient sentence on the grounds that he had been under remand since Feb 24, 2022 and was very remorseful and had repented. Deputy Public Prosecutor Nur Faezah Jafry applied for a heavier and deterrent sentence due to the seriousness and rampancy of the offence. Earlier, in presenting the facts of the case, a team of police went to the said place and after observing for about 20 minutes, a motorcycle ridden by a man in a suspicious manner was circling the area. The man then got off his motorcycle and was carrying a pink plastic. The police approached him and introduced themselves before checking the plastic bag carried by the man, later identified as Yusof, who told them that there was syabu in the plastic after being asked. Yusof was then arrested after the police found that there were three small packets containing a clear substance suspected to be syabu. The substance was then sent for analysis to the Chemist Department which was later confirmed as syabu, weighing 70.43gm. The court also granted the prosecution's application for the original charge to be withdrawn and ordered Yusof to serve the sentence from the date of his arrest.