

## **Contrasting fate of two brothers on drug charge**

GEORGE TOWN: A factory worker has been given a discharge not amounting to an acquittal (DNNA) for drug possession while his younger brother was convicted by a Sessions Court here.

Shah Hafiz Saleh, 27, was given the DNAA after DPP S. Selvaranjini informed the court that the prosecution decided not to proceed with the matter following a representation made by his counsel.

However, his brother grasscutter Shahairey Saleh, 26, who pleaded guilty, was jailed five years and ordered to be whipped 10 times.

The brothers were jointly charged with possessing 92.79gm of cannabis at a flat in Sungai Nibong Kecil in Bayan Baru at 11.45am on July 21, 2011.

The charge under Section 12(2) of the Dangerous Drugs Act 1952 is punishable under Section 39A(2) with a jail term of not less than five years and 10 strokes of the rotan upon conviction.

Judge Sitarun Nisa Abdul Aziz ordered that the jail term be effective from the date of arrest on July 21, last year.

Both men had earlier claimed trial when they were first charged in court on July 27, 2011.

According to the statement of facts, only Shahairey was tested positive for drugs during the urine tests. The two brothers were represented by counsel S. Yagoo.