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LUCKY MAN

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KUALA LUMPUR: The High Court has told a Somalian postgraduate student that he was lucky to have escaped the gallows because the large amount of drugs that was in his possession was a new type of narcotic.

Judicial Commissioner Datuk Mohamad Shariff Abu Samah sentenced Ahmed Sahial Qahia yesterday to three years' jail and fined him RM50,000 or another year's jail, and told him to thank God because the prosecution had amended his charge from drug trafficking to possession, despite the amount of drugs

being 11kg.

"You were initially charged with trafficking in Cathinone, which was found in the leaves that were in your possession, but the prosecution amended the charge because this is a new (type of) drug in the country, though a dangerous one.

"But with Cathinone, there is no statutory presumption of trafficking like other drugs, such as cannabis or heroin.

"When you brought the drug into the country, you had written in the Customs declaration form that the leaves, which contained Cathinone,

were hennas.

"By sending you to jail, I'm sending out a strong message to the public that drug related offences are serious crimes," said Shariff.

He said drug possession and trafficking were rampant and dangerous, and such offences would not be tolerated.

Ahmed, 30, pleaded guilty to possessing Cathinone (in the form of leaves) amounting to 11.5kg at the car park of PV20, Platinum Lake Condominium, No. 5 Jalan Usahawan, off Jalan Genting Klang in Setapak, Selangor, at 1.30pm on April

20 last year.

Earlier, counsel Azamuddin Abd Aziz in seeking a lenient sentence for his client, told the court that Ahmed had been offered to do his doctorate at a local university when he was arrested.

He is the eldest of seven children and is married to a Somalian nurse, who is currently working and residing in Australia.

"He has truly regretted his actions and wants to pursue his studies as he has been residing in Malaysia since 2007.

"I hope the court will not impose

a custodial sentence and fine him for his offence as this is his first offence."

Deputy public prosecutor Khuzaima Dolfatah, from the Royal Malaysian Customs Department, said the accused should be handed a deterrent sentence, going by the large amount of drugs that was in his possession.

"Foreign students and tourists must take the laws of this country seriously and respect them, too," he said.

Shariff ordered Ahmed's jail sentence to start from yesterday.