

Used car salesman acquitted of drug charges, escapes gallows

Posted on 9 July 2013 - 02:43pm

Last updated on 9 July 2013 - 03:55pm

ALOR SETAR (July 9, 2013): A used car salesman escaped the gallows after the High Court here today acquitted and discharged him from three counts of drug trafficking two years ago.

Judicial Commissioner Datuk Mohd Zaki Abdul Wahab made the decision after finding that the prosecution had failed to prove the charges against Abdul Razak Samah, 37, beyond reasonable doubt.

Abdul Razak was charged with three counts of trafficking in 29,083 grammes of cannabis, 6,702.8 grammes of drugs (6,681.5 grammes heroin and 21.3 grammes monoacetylmorphine) and 150.6 grammes of Methamphetamine in his Mercedes Benz car with the registration number WCJ9888 in front of a house with the address No.81, Lorong Berlian 6, Taman Berlian, Kulim between 9.30 am and 11.30 am on Aug 5, 2011.

For each count, he was charged under Section 39B(1)(a) of the Dangerous Drugs Act 1952 which carries the mandatory death sentence upon conviction.

"I find that the statement by the defence on how the car key was found, could be accepted. The defence stated that the car key was not found on the table (at home) but in the car.

"According to the defence testimony, the car of the accused had been borrowed by someone named Fauzi as his (Fauzi's) car had a breakdown," Mohd Zaki said.

Mohd Zaki said there was also doubt as to how and when the drugs were found.

Deputy Public Prosecutor Nurshuhada Mohd Yatim appeared for the prosecution while the accused was represented by lawyer RSN Rayer. – *Bernama*