

PRESS RELEASE

RELEASE DATE: 11TH MARCH 2024



On 28th February 2024, the High Court convicted a 44-year-old local man for culpable homicide not amounting to murder of his 1 year 5 months old daughter. Culpable homicide not amounting to murder is an offence under section 304(1) of the Penal Code which carries a penalty of imprisonment which may extend to life. Today, he has been sentenced to life imprisonment.

Initially, the Defendant, Mohammad Helmi bin Awg Serabah claimed trial to one count of Murder. Having assessed the evidence put forth by the Prosecution and Defence, the Court found that there was insufficient evidence to prove that the Defendant had intended to cause death to the deceased but convicted him of culpable homicide not amounting to murder.

Evidence presented during trial was that on 26th August 2019, the Defendant was at home in Kampong Salambigar with the deceased when he lost his temper when the deceased would not stop crying but these crying were caused by the Defendant's act of burning various parts of her body using a lighter. The Defendant then carried out acts of violence on the deceased which led to her death. Post mortem carried out on the deceased revealed that there were 196 injuries found on her body, some of them were attributed to the Defendant.

On 11th March 2024, the Honorable Judicial Commissioner Haji Abdullah Soefri bin POKSM DSP Haji Abidin and Judicial Commissioner Muhammed Faisal bin PDJLD DSP Haji Kefli sentenced the Defendant to life imprisonment. Judicial Commissioner Haji Abdullah Soefri described the acts done by the Defendant as sickening and evil and described the Defendant as the

lowest form of human life that the court has ever seen for what he did on a young defenceless child.

The Judicial Commissioner also laid out the aggravating factors which led to the maximum sentence being imposed which includes the position of trust where the deceased is the defendant's daughter, the fact that the Defendant did not seek any assistance or send her for medical treatment despite his daughter lying unconscious in front of him and the action carried out on the victim were very violent considering her tender age and who was unable to walk and communicate.

Prosecuting on behalf of the Public Prosecutor were Prosecuting Officers Shamshuddin bin Haji Kamaluddin and Hajah Atiyah binti POKLS DSLJ Haji Abas. The Defendant was represented by Mohd Shazale Haji Mat Salleh.