

Public Prosecutor v Ramli bin Ismail
[2002] SGHC 262

Case Number : CC 59/2002
Decision Date : 06 November 2002
Tribunal/Court : High Court
Coram : Choo Han Teck JC
Counsel Name(s) : Eugene Lee and Jared Pereira [Attorney-General's Chambers] for the prosecution; Luke Lee [Luke Lee & Co] (assigned) and Johan Ismail [Johan Ismail & Company] (assigned) for the accused
Parties : Public Prosecutor — Ramli bin Ismail

Judgment

GROUNDS OF DECISION

1. The accused is a 36 -year old man charged with trafficking, by transportation, 259.96 nett grammes of diamorphine from Yew Tee Industrial Estate to a road junction beneath the Moulmein Flyover on 9 March 2002 between 3.45 and 4.25 pm. The accused represented by Mr. Luke Lee, indicated that he wished to plead guilty to the charge, and Mr. Lee confirmed that that was the instruction he had received from his client. This being a capital case, I declined the plea and directed the prosecution to satisfy me that the charge be proved. Mr. Eugene Lee and Mr. Jared Pereira the prosecuting counsel adduced the following evidence.

2. Evidence from a number of officers from the Central Narcotics Bureau "CNB") including SSG Yon Boon Ngiap, Sgt Ho Kian Sing, W/Cpl Chan Jee Yeng, W/SSG Rahizah Rahim, Sgt Eddie Wee, Sgt Soo Sin Ghee, SSG Kua Boon San, and Sgt Mohamed Hafiz shows that the accused was being watched by CNB officers as early as 11 am on the day of his arrest. In the long stake-out the accused was traced from catching a taxi near his flat at Choa Chu Kang and travelling to Bishan Street 11 to pick up a man later ascertained to be Rozali Bin Mohamad Yassim. The duo then went to a vehicle rental company called Cars And Carriage Rent-A-Car Pte Ltd at the Plaza Park Royal Hotel at Beach Road. Wee Chee Seng, the manager of that rental company testified that the accused rented a van registered as GT 6730 Z for two days from 9 March. After taking the van the accused and Rozali drove to the Starhub Centre at Kramat Road where they had a meal at the food court there. After that the accused went to a lottery shop at Cuppage Plaza and Rozali met one Mohamad Yazid at a side entrance of the same building. The trio then walked through the Centrepoint building to the carpark at Starhub Centre where the van was parked. They drove to Jalan Jurong Kechil after stopping over at the carpark of Block 1001 JTC Redhill Industrial Park where they had a drink at the Farasha Restaurant. They went into a provision shop and returned to the van with Rozali carrying a brown box.

3. The trio left Jalan Jurong Kechil and arrived at an Esso petrol station at Upper Bukit Timah Road at 3.30 pm. There Rozali filled petrol into two bottles while the accused went to have a change of clothing from the gray t-shirt and blue jeans to a white t-shirt and grey Bermuda shorts. From there the gang proceeded to the Yew Tee Industrial Estate. The van drove off shortly, made several turns and returned to the same spot, outside the Koh Seng Hong provision shop, where, Yazid loaded a basket of cucumbers into the rear of the van. The trio drove off again after that and stopped along Woodlands Road near the Kranji Expressway exit where the accused was seen taking a brown box from the rear of the van to the driver's cabin. They then drove off towards Balestier Road where the van was intercepted by CNB officers below the Moulmein Flyover. All three men put up a violent struggle but were eventually subdued, arrested and subsequently charged. A brown box was

recovered from the front passenger side of the van. In it were a total of six packages of granular substance later analysed (by the Health Sciences Authority) to be 296.96 nett grammes of diamorphine. Rozali and Yazid were given an unconditional discharge. They testified in court giving an account of their journey with the accused on the day in question although they made no mention of their role in respect, or knowledge of, the drugs.

4. The prosecution also produced in evidence, without challenge, three statements made by the accused in which he admitted knowledge that he was carrying heroin in his van and that he was the one who took them from the rear of the van and placed them at the front. He also admitted taking out a knife and placing it on top of the brown box containing the drugs. At the close of the prosecution case I called upon the accused to enter his defence, but he elected to remain silent and offered no other evidence. I reviewed the evidence above and am satisfied that the prosecution had made out its case beyond reasonable doubt. I therefore convicted the accused as charged and sentenced him to suffer death.

Sgd:

Choo Han Teck

Judicial Commissioner