

**6hb Ogos 2009**

Koroner : Tuan Azmil Muntapha bin Abas

Timbalan Pendakwaraya (TPR) : Tuan Idham bin Abdul Ghani  
(dilantik oleh Kerajaan Malaysia) Encik Tan Hock Chuan  
Encik Cains Tan  
Encik Justin Wee  
Mohd Abbas Zafri b. Mohd Abas

Peguam Pemerhati  
(untuk keluarga simati) : Encik Gobind Singh Deo  
Encik S.N Nair  
Encik Ram Karpal Singh  
Encik Karpal Singh  
Lim Lick Eng

Peguam Pemerhati  
(kerajaan Negeri Selangor) : Encik Malik Imtiaz Sarwar  
Cik Asma binti Mohd Yunus  
Encik Ashok Kandiah  
Encik Sreekant Pillay

Peguam Pemerhati  
(Majlis Peguam) : Encik Richard Wee Lopez  
Encik Cheow Wee  
En. Syahredzan Johan  
En. Haniff Khatri  
Cik Jun Lo

Mahkamah: Bersidang di Mahkamah terbuka pada hari yang ketiga. Akan mulakan dengan saksi yang keenam berkenaan dengan isu buku daftar.

Timbalan Pendakwaraya: Pihak-pihak seperti semalam.

Majlis Peguam: Bersama saya adalah En. Rajpal Singh, En. Salim Bashir dan En. Sunil Lopez, platih dalam kamar Cik Jun Low.

Timbalan Pendakwaraya: Panggil semula saksi keenam, Abdul Rahman Ibrahim.

## **SI6**

(Butir-butir sama seperti semalam).

(Bersumpah dan bertutur dalam Bahasa Melayu).

Timbalan Pendakwaraya: Rujuk saksi dengan buku keluar masuk ofis di Plaza Masalam. Adakah ini buku keluar masuk Plaza Masalam?

A : Benar.

Q : Sila lihat muka surat 8, adakah ini muka surat yang terakhir di mana terdapat catitan?

A : Benar.

Q : Apakah tarikh terakhir catitan dibuat keluar masuk?

A : Pada 19hb Mei 2009.

**SI6 – ABDUL RAHMAN BIN IBRAHIM**

Q : Sebelum itu apakah catitan tarikh keluar masuk?

A : 5hb Mei 2009.

Q : Sebelum itu?

A : 4hb Mei 2009.

Q : Sebelum 4hb Mei 2009?

A : 1hb Mei 2009.

Q : Sebelum itu adakah 24hb April 2009?

A : Betul.

Q : Dan sebelum itu 11hb April 2009?

A : Ya.

Q : Jadi buku ini tidak ditulis setiap hari?

A : Ya.

Q : Jadi keterangan kamu itu hari maksudnya 17hb Julai 2009 sahaja tidak dicatit?

A : Ya, maksud saya 15 hingga 16hb Julai tidak direkodkan.

Q : Tapi memang banyak hari tidak tulis?

A : Ya.

Timbalan Pendakwaraya: Pohon ditandakan.

Mahkamah: I5.

**En. Gobind**

(Tiada soalan).

**Majlis Peguam**

Q : Kamu beritahu 15hb Julai ada catit, buku mana kamu catit? Sila lihat I5, muka surat terakhir pada 27hb Januari 2009 ada catit, lepas itu satu bulan tidak catit dan 5hb Mac 2009 ada catit, setuju memang sebulan tidak dicatit dan disambung semula?

A : Setuju.

Q : Siapa simpan buku ini?

A : Buku ini disimpan di kaunter ofis tower.

Q : Siapa yang akan dapatkan buku ini?

A : Anggota yang bertugas di kaunter tower yang akan dapatkan.

**SI6 – ABDUL RAHMAN BIN IBRAHIM**

Q : Setuju bahawa memang ada lebih dari satu buku?

A : Tidak, hanya satu sahaja.

Mahkamah: Saksi dilepaskan.

Mahkamah: Adakah saksi hari ini sedia?

Timbalan Pendakwaraya: Ya. Semua adalah sedia.

Timbalan Pendakwaraya: Panggil saksi ketujuh. – Cik Zaraiha bt. Awang.

**SI7**

Nama : Zaraiha bt. Awang

Umur : 42 tahun

Alamat: Jabatan Kimia Petaling Jaya

Pekerjaan: Ahli kimia

**Timbalan Pendakwaraya**

Q : Sudah berapa lama kamu bekerja di Jabatan Kimia?

A : Saya sudah bekerja selama 12 tahun.

Q : Kelayakan puan?

A : Ijazah Sarjana Muda Sains Kimia dengan Kepujian 1995 dari Universiti Kebangsaan Malaysia, Bangi.

**S17 – ZARAIHA BINTI AWANG**

Q : Kamu sebagai ahli kimia, ada pernah beri keterangan di Mahkamah?

A : Ya.

Q : Sudah berapa tahun beri keterangan di Mahkamah?

A : Sejak tahun 2005.

Q : Pohon saksi dirujuk kepada report yang telah disediakan oleh beliau. Saya cadang agar beliau dibenarkan untuk membaca report dan beri keterangan secara lisan.

Q : Pada 21hb Julai 2009, jam lebihkurang 2.43 petang, semasa kamu menjalankan tugas sebagai ahli kimia, ada terima barang kes?

A : Pada hari dan masa tersebut, saya telah menerima 4 sampul surat yang bertanda H, I, J dan K dan meteri Pengarah Hospital Klang dari ASP Ahmad Nazri.

(I.O dicamkan).

Q : Apa kamu buat dengan eksibit?

A : Saya daftarkan dan keluarkan nombor makmal 7669 /09 – 0 dan melekatkan kesemua nombor makmal tersebut kepada keempat-empat eksibit pada setiap sampul surat.

Q : Sampul pertama bertanda H. Ada buka?

**S17 – ZARAIHA BINTI AWANG**

- A : Ya, ada buka dan mendapati satu botol yang mengandungi specimen darah dan berlabel Teoh Beng Hock.
- Q : Sampul kedua bertanda I?
- A : Satu botol mengandungi specimen darah berlabel sama.
- Q : Sampul ketiga bertanda J?
- A : Satu bekas plastik mengandungi specimen air kencing berlabel sama.
- Q : Sampul K?
- A : Mengandungi satu bekas plastik mengandungi specimen perut berlabel sama.
- Q : Adakah kamu buat analisa terhadap barang?
- A : Ya.  
Specimen darah H – analisis terhadap alkohol etanol. Tiada sebarang etanol dikesan.  
Specimen darah I – tidak ada dadah biasa di dalam specimen blood I.  
Specimen air kencing J – tiada ethyl alkohol dan dadah biasa di dalam air kencing.  
Specimen kandungan perut K – tidak ada sebarang dadah biasa di dalam specimen tersebut.

**S17 – ZARAIHA BINTI AWANG**

Q : Secara rumusan, betul atau tidak selepas analisa kamu tidak terdapat apa-apa kesan ethyl alkohol atau dadah biasa dalam sample darah yang berlabel Teoh Beng Hock?

A : Ya.

Q : Juga tidak terdapat apa-apa kesan ethyl alkohol atau dadah biasa dalam sample air kencing?

A : Ya.

Q : Berdasarkan analisa, kamu juga tidak pasti terdapat kesan dadah biasa dalam perut ?

A : Ya.

Q : Selepas analisa dibuat, adakah kamu sediakan report?

A : Ya.

Q : Pohon ditandakan.

Mahkamah: I6.

Q : Selepas puan habis analisa apa berlaku pada barang kes?

**S17 – ZARAIHA BINTI AWANG**

A : Saya materi dan masukkan ke dalam beg keselamatan Jabatan Kimia Malaysia dan menyerahkan kembali kepada ASP 1339 Ahmad Nazri bin Zainal pada pukul 8.15 pagi pada 28hb Julai 2009.

Q : Sama dengan report?

A : Ya.

Q : Rujuk saksi plastik beg bertanda (PJ) For 7669/09-0 Kimia Malaysia Kes F52 PJ Sek. 11 Shah Alam, 5146/09. Sila lihat adakah ini barang kes yang diserahkan kepada I.O?

A : Ya, ini adalah barang-barang tersebut.

Q : Pohon ditandakan sebagai I7.

Mahkamah: I7(h), (i), (j) dan (k).

A : Ya, ini adalah sampul surat bertanda H yang berlabel Teoh Beng Hock.

Q : Pohon tanda I8(h).

Mahkamah: Ditanda I8(a) – sampul.  
Sample botol I8 (b).

A : Sampul surat bertanda I dan sampel darah bertanda I milik Teoh Beng Hock.

**S17 – ZARAIHA BINTI AWANG**

Mahkamah: Sampul – I9(a).  
Botol – I9(b).

A : Sampul surat bertanda J dan bekas plastik bertanda J label sama.

Mahkamah: Sampul – I10(a).  
Botol – I10(b).

A : Sampul surat bertanda K mengandungi palstik tanda K label sama.

Mahkamah: Sampul – I11(a).  
Specimen – I11(b).

Q : Puan ada report berkenaan toxicology report?

A : Ya.

Q : Tujuan report?

A : Tujuan adalah untuk mengetahui samada terdapat kesan racun atau sebarang bahan berbahaya keatas specimen biology samada haiwan ataupun manusia.

Q : Hasil analisa?

A : Hasil analisa ke atas semua specimen mendapati tiada sebarang ethyl alkohol dan dadah biasa di dalam specimen yang telah dianalisa.

Q : Bila kita tulis dadah biasa, apakah maksudnya?

A : Dadah biasa bermaksud common prescription drugs or common pharmaceutical drugs.

(Itu sahaja).

**En. Gobind**

Q : Sudah berapa tahun sebagai ahli kimia?

A : Bekerja selama hampir 12 tahun semenjak Jun 1997.

Q : Pernah terlibat dalam siasatan kes-kes kematian?

A : Saya menerima kes-kes di bahagian toxicology yang melibatkan kes kematian. Kematian yang tidak diketahui punca, diketahui punca selepas autopsi dijalankan, kemalangan jalanraya yang disebabkan oleh pengaruh dadah atau alkohol dan kematian di mana si mati di bawah pengaruh tersebut.

Q : Dalam kes ini, adakah puan melihat mayat?

A : Tidak.

Q : Bukankah ianya penting untuk seorang ahli kimia melihat mayat atau gambar dalam siasatan kes kematian seperti dikatakan tadi?

A : Tidak perlu sedemikian.

Q : Ada baca banyak buku toxicology dan sebagainya?

**S17 – ZARAIHA BINTI AWANG**

A : Ya.

Q : Bukankah benar bahawa dinyatakan bahawa adalah penting untuk ahli kimia melihat mayat untuk mendapat cadangan berkenaan keracunan?

A : Saya fikir tidak penting.

Q : Kamu ada periksa kandungan perut?

A : Ya.

Q : Apakah warna kandungan perut?

A : Tiada warna. Jika ada racun adalah berlainan dengan specimen perut yang tidak dipengaruhi oleh racun atau dadah.

Q : Apakah warna kandungan tersebut?

A : Tidak berwarna. Jernih.

Q : Rujuk laporan post mortem “abdomen the stomach.....analysis”. Adakah kamu katakan bahawa sample yang kamu terima bukan seperti yang dikatakan dalam post mortem?

A : Tidak.

Q : Kamu tidak terima brownish fluid untuk pemeriksaan?

**S17 – ZARAIHA BINTI AWANG**

A : Tidak setuju. Saya terima sample yang brownish color. Kandungan Specimen perut yang saya terima telah saya periksa.

Q : Brownish maknanya tidak berwarna?

A : Tidak.

Q : Sample yang diterima dari doktor apa color?

A : Brownish color.

Mahkamah: Berapa banyak warna yang ada?

A : Bergantung kepada jenis racun yang terdapat dalam sample tersebut.

Q : Kamu setuju kamu terima sample brownish. Adakah kamu siasat substance brownish tersebut?

A : Ya. Saya jalan dan siasat bahawa ada sifat yang berbau dan menyiasat terhadap jenis dadah yang berbentuk meruap jenis gases dan slycylate.

Q : Dalam kes ini, puan tidak boleh beritahu apakah itu brownish substance itu?

A : Adalah kandungan specimen perut.

Q : Apakah ia? **S17 – ZARAIHA BINTI AWANG**

A : Saya tidak tahu.

Q : Adakah buat siasatan atau analisa untuk dapat tahu bahan itu?

A : Ya. Analisa terhadap dadah biasa menggunakan ujian toxicology yang sistematik.

Q : Kamu terima satu borang dari pihak polis untuk buat analisis yang tertentu, setuju?

A : Ya.

Q : Itu adalah prosedur biasa?

A : Ya.

Q : Boleh lihat borang polis tersebut?

A : Ya.

Q : Dalam para 5 dinyatakan "puan diminta ..... racun". Selain dari ini adakah puan memikirkan berkenaan dengan sebab lain, pemeriksaan lain untuk ini?

A : Tidak. Saya mengikuti apa yang diminta oleh polis dan meneliti kes history. Maksud saya dalam kes ini analisa terhadap volatile gas tidak termasuk dalam aspek racun kerana tidak menunjukkan bahawa si mati tidak terdedah dalam racun yang ada unsur gas.

Q : Puan kata ada pertimbangkan sejarah kes?

**S17 – ZARAIHA BINTI AWANG**

A : Dari borang polis 31, kes ini adalah kes terjatuh dari bangunan tinggi.

Q : Adakah possibility lain hadir dalam fikiran puan?

A : Tidak.

Q : 12 tahun puan buat kes, hanya satu possibility sahaja dalam fikiran puan. Ada tidak possibility yang lain?

A : Tidak.

Q : Terjatuh dari tempat tinggi, adakah puan tahu latarbelakang kes ini?

A : Tidak tahu.

Q : Adakah kamu tahu apa berlaku dalam kes ini? Kamu tidak tanya?

A : Saya tanya pada I.O dan diberitahu bahawa ia adalah kes jatuh bangunan yang melibatkan seorang setiausaha politik.

Q : Ada baca paper berkenaan kes ini?

A : Ada.

Q : Bukankah benar sangkaan ramai orang bahawa beliau adalah ditolak dari bangunan?

**S17 – ZARAIHA BINTI AWANG**

Timbalan Pendakwaraya: Bantahan. The purpose is to know what is actually happen.

Mahkamah: Saya akan tanya samada dalam melakukan test adakah sejarah medical atau sejarah apa. Apa maksud sejarah?

A : Sejarah dari borang polis yang telah diserahkan kepada saya bersama dengan eksibit. Pada borang kimia 15 yang diserahkan kepada saya.

Mahkamah: Adakah punca kematian seperti ditolak akan mempengaruhi laporan kimia?

A : Saya fikir saya tidak berpengalaman dalam menjawab soalan ini.

Mahkamah: Apa tujuan toxicology?

A : Untuk pastikan tiada unsur keracunan samada haiwan atau Manusia.

Mahkamah: Adakah jika ditolak akan pengaruhi kematian?

A : Tidak.

Q : Puan, dalam pengalaman 12 tahun pasti sudah dengar di mana kes seorang telah ditolak dari tempat tinggi dan jatuh? Ada?

A : Tidak pasti.

## S17 – ZARAIHA BINTI AWANG

Q : Setuju dengan saya jika seorang di bawah tekanan yang kuat, maka the composition dalam darah akan menunjukkan. The chemical dalam blood boleh reveal the death?

A : Tidak pasti.

Q : Bila seorang stress, apakah bahan kimia yang dikeluarkan dari dalam badan bertukar?

A : Tidak pasti.

Q : Tahu apa adrenalin?

A : Cecair dihasilkan di dalam manusia apabila kita mengalami sesuatu tekanan.

Q : Jadi puan tahu bahawa adrenalin memang ada?

A : Ya.

Q : Ini adalah satu perkara yang berlaku jika seorang ditolak dalam keadaan cemas?

A : Saya tidak pasti.

Q : Puan setuju bahawa jika stress, adrenalin akan hadir. Saya cadangkan jika seseorang dalam keadaan tertekan akan terdapat adrenalin di dalam badan?

A : Ya.

**S17 – ZARAIHA BINTI AWANG**

Q : Dalam kes ini, adakah kamu setuju bahawa tidak dilakukan stress test untuk adrenalin level dalam darah?

A : Tidak dibuat.

Q : Tidak dibuat kerana pihak polis tidak minta?

A : Saya fikir adrenalin bukan tergolong dalam darah biasa. Ia dihasilkan secara semulajadi.

Q : Kamu tidak buat kerana tidak diarahkan oleh pihak polis dalam borang tersebut?

A : Saya tiada jawapan.

Q : Jika diminta puan akan buat?

A : Ujian toxicology tidak termasuk dalam adrenalin.

Q : A test was not done on adrenalin because it is not asked for?

A : Ya.

Q : Selain dari ujian untuk mendapat specimen ethyl ethanol, alkohol dan common drug, ada buat sebarang ujian untuk bahan kimia yang lain?

A : Analisis dadah biasa menggunakan gas chromatography mass spectrometry telah meneliti sebanyak lebih 300 ribu sebatian kimia.

## **S17 – ZARAIHA BINTI AWANG**

Q : Untuk kesemua itu apa keputusannya?

A : Keputusan adalah tiada sebarang dadah biasa dikesan.

Q : Adakah seorang ahli kimia berkebolehan untuk bantu satu patologist uantuk menentukan masa kematian seseorang?

A : Jika dilihat secara fizikal tidak dapat membantu sehingga specimen biology diuji.

Q : Dari uji specimen boleh bantu?

A : Jika positif boleh bantu.

(Tiada soalan lagi).

### **En. Malik**

(Tiada soalan).

### **Majlis Peguam**

Q : Selain dari sampel ini, ada tidak sample lain?

A : Tidak ada.

Mahkamah: Jenis ujian yang dilakukan untuk kes kematian, adakah terhad kepada ujian untuk dapat jenis unsur dadah, alkohol. Ada ujian lain yang dilakukan dalam kes kematian atau tidak?

A : Ujian toxicology merangkumi racun dadah biasa, disalah guna, racun makhluk perosak, bentuk gas, meruap.

Mahkamah: Selain itu ada tidak jenis lain?

A : Tidak ada.

**Timbalan Pendakwaraya**

Q : Kamu bekerja di bahagian mana?

A : Bahagian toxicology.

Q : Bahagian itu buat ujian apa?

A : Toxicology. Cari dadah biasa, dadah berbahaya atau sebarang bahan yang mempunyai potensi bahaya keatas specimen biology atau specimen yang di klasifikasi sebagai unknown identity.

Q : Rujuk post mortem report, page 5 “the stomach .....”. Setuju bahawa ada brownish fluid tapi sebelum itu kamu kata tidak ada warna. Boleh terangkan?

A : Brownish fluid adalah warna yang biasa pada specimen kandungan perut manusia yang tidak mempunyai dadah. Degree acidity adalah neutral adalah 7.

Q : Bila kata warna, adakah biasa atau PH?

**S17 – ZARAIHA BINTI AWANG**

A : Warna biasa. PH7 tidak berwarna.

Q : Brownish fluid?

A : Ya.

Timbalan Pendakwaraya: Pohon ditandakan borang polis 31 dan kimia 15.

Mahkamah: I12 – borang polis 31.

I13 – borang kimia 15.

Mahkamah : Saksi dilepaskan.

t.t. Azmil Muntapha b. Abas.

11.35 kes dipanggil semula.

Pihak-pihak yang sama.

Timbalan Pendakwaraya: Panggil saksi seterusnya.

## SI8 – SAIFUL HAZAMIN BIN MOHD ALI

### SI8

Nama : Saiful Hazamin b. Mohd Ali  
Umur : 34 tahun  
Bertugas: Jabatan Kimia, Petaling Jaya  
Pekerjaan: Ahli Kimia

(Bersumpah dan bertutur dalam Bahasa Malaysia).

### Timbalan Pendakwaraya

Q : Berapa lama kamu bekerja?

A ; Mula bertugas 2hb Oktober 2000.

Q : Pada bulan Julai 2009, kamu bertugas di bahagian atau jabatan mana di Jabatan Kimia?

A : Pada masa tersebut, saya bertugas di Seksyen Kriminalistik Bahagian Forensik, Jabatan Kimia Malaysia.

Q : Di bahagian ini kamu buat apa?

A : Saya bertanggungjawab dalam menerima, menganalisa dan membuat laporan kes bukti fizikal cat, kaca, tanah dan sebagainya. Kes senjata, kemalangan, kenderaan dan kes kebakaran.

Q : Ini tugas kamu?

**SI8 – SAIFUL HAZAMIN BIN MOHD ALI**

A : Ya.

Q : Kelayakan kamu?

A : Mempunyai Ijazah Sarjana Muda Sains Kimia dari Universiti Malaya tahun 1999.

Q : Ada pernah beri keterangan di Mahkamah?

A : Ya.

Q : Sudah berapa lama beri keterangan?

A : Mulai tahun 2004.

Q : Rujuk laporan kimia. Pada jam 4.10 petang, 24hb Julai 2009, adakah kamu terima barang kes?

A : Ada.

Q : Terima dari siapa?

A : Dari ASP Ahmad Nazri b. Zainal.

Q : Berapa eksibit?

A : Tujuh eksibit.

(ASP Ahmad Nazri dicamkan).

**S18 – SAIFUL HAZAMIN BIN MOHD ALI**

Q : Apakah tujuan eksibit yang diserahkan untuk dianalisa?

A : Lima paket plastik masing-masing bertanda nombor 2, 4, 6, 7 dan 12 yang bermeterai Makmal Forensik Polis Diraja Malaysia. Satu sampul surat bertanda 21 bermeterai forensik PDRM, satu sampul surat bertanda D bertanda Pengarah Hospital Klang.

Q : Pada jam 9.09 pagi, 24hb Julai 2009, adakah kamu terima eksibit lain?

A : Ada.

Q : Terima dari siapa?

A : Pada jam 9.09 pada 24hb Julai 2009, telah diserahkan pada saya oleh Dr. Seah Lay Hong, ahli kimia di Jabatan Kimia PJ, dua bungkusan plastik berlabel nombor makmal (PJ) For 7670/09-0 masing-masing bertanda nombor 3 dan 16 bermeterai Jabatan Kimia Malaysia.

Timbalan Pendakwaraya: Pohon dicamkan.

Q : Adakah ini Dr. Seah Lay Hong?

A : Ya, saya camkan.

Q : Apa yang kamu dapati di barang kes?

## S18 – SAIFUL HAZAMIN BIN MOHD ALI

A : Paket plastik nombor 2 terdapat sebatang skru 5cm panjang.  
Bungkusan plastik nombor 3, seutas rantai jam tangan berlabel nombor 3. Saya dapati kedua-dua tudung rantai jam tangan tidak terdapat pin penyambung. Dan sebatang pin penyambung berlabel 31.27 cm panjang.

Paket plastik nombor 4 dalamnya terdapat sebatang pin penyambung 2.7cm panjang.

Paket plastik nombor 6 terdapat 1 klip logam berserta dua skru.

Paket plastik nombor 7, satu butang logam dengan benang putih yang terputus pada lubangnya.

Paket plastik nombor 12, satu potongan lapik kaki bunga yang pada permukaan atasnya terdapat kesan lekuk lebih kurang 8.5 cm panjang dan 3 cm lebar.

Bungkusan plastik nombor 16, satu bungkusan kertas berisi satu sampul surat yang mengandungi satu bungkusan kertas berisi sehelai seluar dan saya dapati butang pada bahagian pinggang telah tertanggal, walaubagaimanapun terdapat sisa benang putih.

Sampul surat 21 di dalamnya sebahagian pengunci tingkap yang mempunyai 4 lubang skru di mana 3 skru terlekat, 2 skru dalam keadaan baik, 1 telah patah dan 1 tanpa skru. Saya dapati buatan skru adalah sumbing.

**S18 – SAIFUL HAZAMIN BIN MOHD ALI**

Sampul surat B, satu paket plastik berisi satu bekas plastik mengandungi satu bahan putih coklat.

Q : Adakah kamu jalankan pemeriksaan?

A : Ya.

Q : Apakah keputusan dan pemeriksaan kamu?

A : Setelah pemeriksaan di dapati:

1 skru nombor 2 tidak padan dengan skru item nombor 21 iaitu sebahagian pengunci tingkap.

Klip logam berserta 2 skru tidak berkesan dengan item 21.

Kesan patah pada skru item 21 masih baru.

Pin penyambung jam tangan nombor 4 adalah serupa dengan pin penyambung item 21 dan boleh dipadankan dengan hujung item nombor 3.

Benang putih pada butang logam nombor 7 serupa dengan benang putih seluar nombor 16.

Saya berpendapat butang logam nombor 7 berasal dari butang seluar nombor 16.

Ketulan bahan putih coklat konsisten dengan cat.

Q : Selepas pemeriksaan dan analisis, apa berlaku pada barang kes?

**SI8 – SAIFUL HAZAMIN BIN MOHD ALI**

A : Item nombor 3 dan 16 telah diserahkan kembali kepada Dr. Seah Lay Hong pada jam 8.45 pada 27hb Julai 2009.

Q : Eksibit lain?

A : Telah dimeterai dengan label Jabatan Kimia Malaysia dan diserahkan bersama laporan ini kepada ASP Nazri pada 8.00 pagi pada 28hb Julai.

Q : Adakah ini report kamu?

A : Ya.

Mahkamah: I14.

Q : Item nombor 3 dan 16.

(Dr. Seah diminta untuk membuka plastik besar dan mengeluarkan item 3 dan 16).

Q : Apakah ujian yang telah kamu jalankan?

A : Adalah untuk fizikal match samada item yang diberi boleh dipadankan. Kedua adalah untuk mengenal pasti bahan.

Q : Adakah ini item no. 3?

A : Ya.

**S18 – SAIFUL HAZAMIN BIN MOHD ALI**

Q : Adakah ini item no. 16?

A : Ya.

Q : Pohon saksi buka item nombor 3.

A : Ada seutas rantai jam tangan dan pin dan bungkusan plastik.

Mahkamah: Bungkusan plastik – I15.

Seutas rantai jam tangan – I15A.

Pin – I15B.

Q : Item nombor 16 (seluar), sila buka. Pohon ditanda.

Mahkamah: Sampul surat dengan label no. 16 – I16A.

Sampul kecil di dalam – I16B.

Pembalut – I16C.

Seluar – I16D.

Q : Bagaimana dengan eksibit lain?

A : Dipulang kepada ASP Ahmad Nazri.

Q : Paket plastik nombor 2 pohon ditandakan.

Mahkamah: Paket plastik – I17.

Skru – I17A.

Q : Pohon ditandakan paket plastik nombor 4.

**SI8 – SAIFUL HAZAMIN BIN MOHD ALI**

Mahkamah: Paket plastik – I18.

Sebatang pin penyambung jam tangan – I18A.

Q : Pohon ditandakan paket plastik nombor 6.

Mahkamah: Paket plastik – I19.

Klip logam – I19A.

Dua skru – I19B.

Q : Pohon ditanda paket plastik nombor 7.

Mahkamah: Paket plastik – I20.

Satu butang logam – I20A.

Q : Pohon ditandakan paket plastik nombor 12.

Mahkamah: Paket plastik – I21.

Satu potongan lapik kaki lima – I21A.

Q : Pohon tanda sampul surat 21.

Mahkamah: Sampul surat – I22.

Sebahagian pengunci tingkap – I22A.

Q : Pohon tanda sampul surat bertanda D.

Mahkamah: Sampul surat – I23.

Paket plastik – I23A.

Bekas plastik – I23B.

**S18 – SAIFUL HAZAMIN BIN MOHD ALI**

Q : Skru nombor 2 (I17A) tidak padan dengan item 21 (I22A).

(Ditunjukkan oleh saksi).

Q : Klip logam berserta dua skru (I19A dan B) tidak berkaitan dengan item 21.

(Ditunjukkan oleh saksi).

Q : Kesan patah pada skru item 21 sebahagian pengunci tingkap masih baru.

(Ditunjukkan oleh saksi).

Q : Pin penyambung jam tangan nombor 4 adalah serupa dengan nombor 3(1) dan boleh dipadankan dengan hujung jam tangan nombor 3.

(Ditunjukkan oleh saksi).

Q : Benang putih pada butang logam nombor 7 sama dengan sisa benang putih seluar nombor 16.

(Ditunjukkan oleh saksi).

Q : Ketulan bahan putih coklat D konsisten dengan cat.

(Ditunjukkan oleh saksi).

(Tiada soalan lagi).

**En. Gobind**

Q : Untuk saksi ini, kami tiada banyak soalan. Perlu saksi ini untuk tarikh yang lain.

Q : Tuan ada analisa semua barang kes ini. Adakah tuan pergi ke tempat kejadian untuk buat pemeriksaan?

A : Ada pergi.

Q : Dalam pemeriksaan, adakah kamu berjaya mengesahkan samada I19 dari mana datang?

A : Saya tidak memeriksa dengan teliti, saya melihat pada langsir punya rail dan saya percaya ia berasal pada rail langsir.

Q : Apa maksud kamu?

A : Saya melihat sahaja dan bila dibandingkan ialah adalah berlainan dan tiada kaitan.

Q : Jadi kamu lihat di langsir di tingkat 14 dan kamu yakin ia bukan datang dari situ?

A : Saya cuma pada waktu itu cuma memastikan sahaja dan tidak pasti ia datang dari mana.

**S18 – SAIFUL HAZAMIN BIN MOHD ALI**

Q : Bila periksa di tingkat 14, adakah klip langsir tersebut sama dengan klip ini?

A : Sama dan serupa.

Q : Bila teliti langsir tingkat 14, adakah kamu dapati 1 dari klip tersebut tiada?

A : Saya cuma lihat sahaja untuk memahami.

Q : Rujuk I22A. Berhubung dengan ini adakah kamu buat penelitian di tingkat 14?

A : Saya melihat tingkap yang lain dan ia mempunyai set yang lengkap yang terlekat di cermin dan ada handle. Jadi saya katakan ini adalah sebahagian dari pengunci tingkap.

Q : Ada diberi latch?

A : Tidak ada.

**En. Malik**

Tiada soalan.

**Majlis Peguam**

Q : I19, adakah skru 5cm sama untuk fix I19 to the wall?

**S18 – SAIFUL HAZAMIN BIN MOHD ALI**

A : Saya rasa tidak boleh.

Q : Adalah langsir sebegini (seperti di Mahkamah)?

A : Ya.

Q : Adakah kamu memeriksa?

A : Seperti dinyatakan, saya hanya melihat dan tengok bentuk fizikal sahaja.

(Tiada soalan lagi).

Mahkamah: Ketika kamu buat pemeriksaan di tingkat 14, ada tengok langsir lain yang tercabut?

A : Tiada.

Mahkamah: Cuma tertumpu pada tiang sahaja (yang patah)?

A : Ya.

**En. Malik**

Q : I19a ini sama dengan engsel (sketch plan)?

A : Tidak pasti.

(Itu sahaja).

**SI9 – DR. SEAH LAY HOCK**

Timbalan Pendakwaraya: Saksi dilepaskan subject to recall.

Timbalan Pendakwaraya: Saksi seterusnya Dr. Seah Lay Hoon.

**SI9**

Nama : Dr. Seah Lay Hock

Age : 51 years old

Job : Scientific Officer, Department of Chemistry Malaysia

(Bersumpah dan bertutur dalam Bahasa Inggeris).

**Timbalan Pendakwaraya**

Q : When did you join the Chemistry Department?

A : I first joint the department in 1991.

Q : Your qualification?

A : Bachelor of Science in Chemistry, Master of Medical Science in Pathology, PhD in Forensic DNA.

Q : Which department or unit in Chemistry Department?

A : I presently with the serology and DNA section which is under forensic division.

Q : What does this division do?

**SI9 – DR. SEAH LAY HOCK**

A : Serology DNA analysis and do testing in body treats, body tissues, and carry out typing body fluid and tissue By serology testing as well by DNA technology.

Q : what DNA stands for?

A : Deoxyribonucleic acid.

Q : Have you given DNA report?

A : Yes.

Q : On 21<sup>st</sup> July at 2.50 pm, did you receive any exhibit for analysis?

A : Yes from Asp Ahmad Nazri, 18 exhibits.

(ASP Ahmad Nazri dicamkan).

- A :
- 1) Four envelopes respectively marked A, B, C and G and sealed Pengarah Hospital HTAR Klang.
  - 2) Four plastic tubes respectively marked no. 10A, no. 10B, no. 13A and no. 13B and sealed Polis Diraja Malaysia 392.
  - 3) Three plastics packets respectively marked no. 3, no. 5 and no. 11 and sealed Makmal Forensic PDRM.
  - 4) Three paper packages respectively marked no. 14, no. 15 and no. 16 and sealed PDRM 392.
  - 5) Four envelopes respectively marked no. 17, 18, 19 and 20 and sealed PDRM 392.

**SI9 – DR. SEAH LAY HOCK**

Q ; Do you examined and analysis this exhibit?

A : Yes.

Envelope A – a plastic packet with a bottle (labeled Teoh Beng Hock) containing specimen head hairs.

B – a plastic packet with a bottle (labeled Teoh Beng Hock) containing nail clipping bearing no bloodstains.

C – a plastic packer with a bottle (labeled Teoh Beng Hock) containing nail clippings and a nail clipper (ilmarked as C(i) bearing no bloodstains.

G – a plastic packet with a FTA card (labeled Teoh Beng Hock) bearing bloodstained specimen.

No. 3 – a metal strap of a wrist watch ('Ellesse' label) and a metal pin ( l marked as no. 3(i) bearing no bloodstains.

No. 5 – a left black shoe ('Lee Cooper' label) indented at the left side bearing no bloodstains.

No. 10A – a plastic tube containing a swab stick.

No. 10B – a plastic tube containing a swab stick.

No. 11 – a tooth bearing stains indicative of blood.

**SI9 – DR. SEAH LAY HOCK**

No. 13A – a plastic tube containing a swab stick.

No. 13B – a plastic tube containing a swab stick.

No. 14 – an envelope inside which was a green paper package containing a short sleeved, grey blue shirt (pink dragonfly collection label) with one button missing and a SPRM orange colored pen in the shirt pocket. The shirt bore stains indicative of blood.

No. 15 – an envelope inside which was a green paper package containing a black blazer ('Hua De Gong Zi' label) bearing stains indicative of blood).

No. 16 – an envelope inside which was a green paper package containing a pair of beige colored trousers ('Guy's Creative' label) bearing stains indicative of blood. There were tears on the upper back portion of the trousers, a tear on the front of the left knee region and a button missing from the waist band.

No. 17 – an envelope inside which was a black waist belt (suave label) torn apart at a buckle-hole region bearing no bloodstains. I found the tear to be irregular with frayed exposed fabric.

No. 18 - an envelope inside which was a green paper package containing grey underwear ('Brent Wood' label) bearing stains indicative of blood. There were tears on the underwear.

**SI9 – DR. SEAH LAY HOCK**

No. 19 – an envelope inside which was a green paper package containing a pair of grey blue socks ('Byfors' label) which i marked as no. 19(a) and 19(b) respectively, both socks bearing stains indicative of blood. There were tears on both socks.

No. 20 – an envelope inside which was a green paper package containing a right black shoe ('Lee Cooper' label, complementary pair with shoe no. 5) bearing stains indicative of blood. I found the shoe to be indented at the top front end.

Mahkamah: Kes ditangguhkan.

t.t. Azmil Muntapha b. Abas.

**2:20 petang**

Pihak-pihak seperti tadi.

**Watching brief :**

Untuk makluman Mahkamah seorang lagi peguam bagi pihak Majlis Peguam Encik Aris Hazami bersama kami.

**SI 9**

Nama : Dr. Seah Lay Hong  
Pekerjaan : Ahli Kimia, Jabatan Kimia Malaysia

Saksi masih dalam sumpah.

**PEMERIKSAAN UTAMA :**

Q : Did you swab any items for contacted DNA testing?

A : Yes, I did.

Q : What are the items?

A :  
i) Watch-strap "No. 3".  
ii) The indented regions of shoes "NO. 5" and "No. 20".  
iii) Front and back outer sides of shirt "No. 14".  
iv) Front and back outer sides of blazer "No. 15"  
v) The lower left region and tear region of trousers "No. 16"  
– beige color trousers.

vi) The tear region of waist-belt “No. 17” and the region diametrically opposite to that of the tear.

Q: Did you

A : I carry out the DNA analysis for 6 items and also DNA analysis on nail clipping D & C. Tooth number 11. Swab 10 (a) ,(b), 13 (a) & (b) and also blood stains indicated on shirt no. 14, blazer no. 15, trousers no. 16, underwear no. 18 and sock 19 (a) & (b) and also blood stains specimen G.

Q : G is plastic package the FTA card.

A : This are items which were submitted the DNA analysis and the evaluate the DNA analysis and technical DNA and Multiplex Polymerase Chain Reaction technique and all items. 16 location of the DNA was examine comprising one location and local and for gender and sex determination that locals amelogenin and 15 other short tandem repeats loci mainly D8S1179, D21S11, D7S820, CSFIPO, D3S1358, TH01, D13S317, D16S539, D2S1338, D19S433, vWA, TPOX, D18S51, D5S8181 and lastly FGA.

Q : What were the result the DNA typing?

A : The DNA typing result was were :-

i) No foreign source DNA were detected from nail clippings “B” and “C” which were (labeled) (Teoh Beng Hock). The derived DNA profiles indicated a common male origin DNA

## **SI9 – DR. SEAH LAY HOCK**

- ii) profile concordant with the DNA profile of bloodstained specimen “G” which were (labeled) “Teoh Beng Hock”).
- iii) Swab “ No. 10 A” indicated no. DNA profile.
- iv) Swab “ No. 10B” indicated a mixed DNA profile but the contributors could not be conclusively distinguished.
- v) Swab “No. 10B” indicated a weak DNA Profile of male-origin but the contributors could not be conclusively distinguished.
- vi) Swab “No. 13B” indicated a weak and inconclusive DNA profile.
- vii) Similar DNA profile of a male-origin were derived from tooth “No. 11” and the bloodstains indicated on shirt “No. 14” blazer “NO. 15”, trousers “No. 16”, underwear “No. 18” and socks “No. 19(a) and “No. 19(b)” matching the DNA profile obtained for bloodstained specimen “G” which were labeled (“Teoh Beng Hock”), thus indicating a common origin. The probability of a coincidental match from a estimated randomly selected, unrelated individuals as calculated based on the Malaysian Chinese population database is estimated 1 in 920 quadrillion ( $920 \times 10^{15}$ ).
- viii) The DNA profiles derived from swabs taken of watch-strap “No. 3”, front and back outer sides of shirt “No. 14”, front outer side of blazer “No. 15”, lower left region and tear region of trousers “No. 16”, region diametrically opposite of the tear from waist-belt “No. 17” and indented regions of shoe “No. 20” revealed no foreign source DNA. The DNA profiles derived from these swab indicated a common male-origin DNA profile concordant with the DNA profile of bloodstained specimen “G” labeled (“Teoh Beng Hock”).

**SI 9 – DR. SEAH LAY HONG**

- ix) The swab taken of indented region of shoe “No.5” indicated no DNA profile.
- x) The DNA profile derived from swab taken of back outer side of blazer “No. 15” consisted of a mixture of male DNA types from two individuals concordant with being contributed by the source of blood stained specimen “G” which were labeled (Teoh Beng Hock) and one unknown male individual. I named this unknown male “Male 1”.
- xi) The DNA profile derived from swab taken at the tear region of waist-belt “No. 17” consisted of a mixture of male DNA types and indicated concordance with being contributed by the source of bloodstained specimen “G” which were labeled (Teoh Beng Hock), “Male 1” and at least one other unknown male contributor.

Q : Roman (i) – You 1<sup>st</sup> DNA typing result shows that a part from the specimen “G” labeled Teoh Beng Hock there were other persons DNA detected DNA nail clipping see labeled Teoh Beng Hock.

A; Yes correct.

Q : Roman (vi) – Can you confirm that on the shirt from the tooth no. 11, bloodstains shirt No. 14 on the blazer no. 15, trousers 16 underwear no. 17 and socks No. 19 (a) (b) the DNA match the DNA copping from Bloodstains specimen G labeled Teoh Beng Hock. Can you confirm that?

A : Yes I can.

**SI 9 – DR. SEAH LAY HONG**

Q : Roman (vii) – Can you confirm DNA profile taken of watch-strap “No.3”, front and back outer side of shirt “No. 14”, front outer side of blazer “No. 15”, lower left region and tear region of trousers “No. 16”, waist belt “No. 17” and indented regions of shoe “No. 20” match the DNA profile specimen G labeled Teoh Beng Hock. Can you confirm that?

A : Yes I can.

Q : What do you do the exhibit the

A : I sealed the exhibit with Jabatan Kimia Malaysia with handed over to the report to ASP Ahmad Nazri bin Zainal at 05.00 am at 24 of July.

Q : Ask that about exhibit no. 3 & 16?

A : Exhibit the no. 3 and 16 at 9.09 am on 24.07.2009 I handed over exhibit no. 3 and 16 to Mr. Saiful Fazamil bin Mohd Ali, Chemist in the Criminalistic Section of the Department of Chemistry Malaysia, Petaling Jaya, as per request of investigating officer ASP Ahmad Nazri bin Zainal for physical evidence examination. The examination was reported by <r. Saiful Fazamil bin Mohd Ali in Department of Chemistry Malaysia report bearing laboratory number (PJ) FOR 7793/09-0 which no. 3 and no. 16 the stated exhibits were subsequently handed back to me by Mr. Saiful at 8:45 am on 27.07.2009.

Q : Do you confirm the witness was here exhibit for you?

**SI 9 – DR. SEAH LAY HONG**

A : Yes.

Q : Getting back the exhibit from Encik Saiful for all the?

A : I sealed exhibit no. 3 and no. 16 with the Jabatan Kimia Malaysia Security Labels and handed back to as ASP Mohd Nazri bin Zainal.

Q : Just get the date, just completely?

A : At the 05.00 am, 28.07 2009.

Deputy Public Prosecutor : Pohon laporan DNA ini ditanda.

[I 24 – exhibit ditandakan]

[Exhibit dicamkan]

Q : Lets follow your report. Lets do envelope 'A' first Dr. Seah?

A : Envelope 'A' plastic package with the a bottle labeled (Teoh Beng Hock ) containing specimen head hairs.

Deputy Public Prosecutor : Pohon ditanda.

I 25 - Envelope "A".

I 25 A - Bottled .

**SI 9 – DR. SEAH LAY HONG**

Q : Envelope “B”?

A : Envelope B – Plastic package with the bottle (labeled Teoh Beng Hock) containing nail clippings.

Deputy Public Prosecutor : Pohon ditanda.

I 26 – Plastic package.

I 26 A – Bottled

Q : Envelope C?

A : Envelope C - Plastic package with the bottle (labeled Teoh Beng Hock containing nail clippings and a nail clipper (I marked as “C” (i)”) bearing no bloodstains.

I 27 & I 27 A – plastic package.

I 27 B – nail clipper

Deputy Public Prosecutor : Marked I 27 B – nail clipper

A – Bottled

B – Nail clipper.

Q : Envelope G?

A : Envelope G – Plastic package with a ‘FTA” card (labeled Teoh Beng Hock ) and the bloodstains specimen.

**SI 9 – DR. SEAH LAY HONG**

Deputy Public Prosecutor : Pohon ditanda.

I28 – Plastic packet.

I 28 A – FTA card.

Q : Plastic package?

A : Plastic package as been open.

Q : As the open by Saiful plastic package “no. 3” and “no. 16.”

Deputy Public Prosecutor : Pohon ditanda.

Deputy Public Prosecutor : Marked 15 A & B.

Mahkamah : Tandatangan a & b.

Q : No 3?

A : A metal strap of a wrist-watch (‘ellesse’ label) and a metal pin which I marked as “no. 3”(i”).

Q : Plastic package no. 5?

A : Plastic package no. 5. A Left black shoe (‘Lee Cooper’ label) indented at the left side.

Deputy Public Prosecutor : Pohon ditanda.

I 29 - Plastic package

I 29 A - shoes

Q : No. 10 A for plastic tube?

A : Plastic tube in side the Jabatan Kimia Security Beg the security labeled.

I 30 – security beg

I 30 A - contains swab stick.

Q : No. 10 A security beg and plastic tube.

A : No. 10 A – contains a swab stick

I 30 – plastic

I 30 A - Swab stick – I 30 A

Q : Plastic tube package 10 B?

A : Plastic tube package sealed inside Security beg from Jabatan Kimia Malaysia the security labeled. Plastic tube 10 B containing a swab stick.

Deputy Public Prosecutor : Pohon ditanda.

I 31 & I 31 A – security beg

**SI 9 – DR. SEAH LAY HONG**

Q : Plastic package no. 11?

A : Plastic package no. 11, one contains crush the tooth and the remaining remains tooth?

Deputy Public Prosecutor ; Pohon ditanda.

I 32 – plastic beg.

I 32 A - .....

Q : Plastic tube no.13 A?

A : Plastic tube 13 b have been sealed inside Jabatan Kimia Malaysia security beg by security labeled. Plastic tube 13 A contains a swab stick.

Deputy Public Prosecutor : Pohon ditanda.

I 33 & I 33 A – security beg.

Q : Plastic tube no. 13 B?

A : Plastic tube 13 B have been sealed inside Jabatan Kimia Malaysia security beg by security labeled. Plastic tube containing a swab stick?

I 34 & I 34 A - envelope

**SI 9 – DR. SEAH LAY HONG**

Q : Paper package number 14?

A : Paper package no. 14 inside which was envelope. The envelope contains paper package

I 35 – Envelope

I 35 A – Paper package

I 35 B - rapping

I 35 C - T-shirt

A : Inside the paper package the short-sleeved grey-blue shirt

Q : What the stains the grey-blue shirt?

T-shirt – I 35 C.

A : Blood stains in the colored this is were stains the analysis?

Q : Any else?

A : Mainly in the colored.

Q : Paper package no. 15?

A :

I 36 - Paper package – I 36.

I 36 A - Envelope.

I 36 B - Green paper package.

I 36 C - Black Blazer

Q : The shows the blood stains?

A : Blood stains were on the colored and front the blazer and the some to the shoulder part and the sleeve.

Q : Where do you find a mixture of male the DNA type and back of the blazer one belonging the Teoh Beng Hock and unknown male individual and you call the '1 male', bahagian mana?

A : Mixture contains back the side the blazer center area at back outer side and the center area of the back side.

Q : Paper package number 16. I 16.

Mahkamah : I 16 all ready tendered.

Q : The shows the blood stains... indicated the blood on the pair the beige colored-trousers

A : Blood stains were on both side trousers and the back part of the side of the trousers, and also for front side.

Q : Envelope no. 17?

A : Envelope I 37.

**SI 9 – DR. SEAH LAY HONG**

I 37 - envelope

I 37 A - small envelope

I 37 B.- black waist-belt

Q : You see and you found the tear to be irregular with frayed exposed fabric, can you show the court please?

A : It was the tear which was on the waist-belt and is the irregular straight tear with frayed exposed fabric. I swab the region for contact DNA as well as region on contact at the opposite back part of the belt for contact of the DNA.

Q : One male you see that contributed by bloodstain Teoh Beng Hock “Male 1’ and at least one other unknown male contributor?

A : Yes.

Q : Envelope marked no. 18?

A : Mix watch the envelope.

I 38 & I 38 A - Although envelope

I 38 B – Green paper package

I 38 C – Underwear

Q : Shows the areas in the on the underwear bearing the stains indicated the blood?

**SI 9 – DR. SEAH LAY HONG**

A : Bloodstain in front the underwear are back side and the tear on the side on the underwear.

Q : Envelope no. 19?

A : Marked no. 19 a & b.

I 39 - although envelope.

I 39 A – small envelope

I 39 B - green rapping paper packing

I 39 C - socks

Q : The socks both stains indicating the blood, can you show?

A : Socks 19 A – level blood stains

Socks 19 B – the blood stains top on the socks.

Q : Envelope no. 20?

A : Paper package inside envelope containing right black shoes indented of blood.

I 40 – paper package

I 40 A – envelope

I 40 B – rapping

I 40 C – right black shoes.

**SI 9 – DR. SEAH LAY HONG**

Q : As a result of your DNA, typing result, which should in mixture of the male DNA type from 2 individuals on the back outer side of the blazer no.15, which is concordant with bloods stains sample G labeled Teoh Beng Hock and one unknown male individual 'Male 1'. As well as, a mixture male the DNA type concordant with bloodstains specimen G labeled Teoh Beng Hock 'Male 1' and at least one other unknown male contributor. Did you carry out furthers analysis for swab taken other indulges?

A : Yes I did.

Q : Sample swab taken from, how many individual?

A : Buckle swab taken from 127 individual and this 157 individual compare 40 personnel from the forensic pathology of Hospital Tengku Ampuan Rahiman and Pusat Perubatan Uniersiti Malaysia and Hospital Kuala Lumpur.

1) 3 hospital

2) 49 personnel from PDRM.

3) 81 staff member of SPRM.

4) 2 cleaner engaged By SPRM in Shah Alam.

5) 8 maintenance and security personnel of Plaza Masalam.

6) 3 other individual witnesses.

**SI 9 – DR. SEAH LAY HONG**

Q : Where were this test the specific done on that day?

A : The collected swab and the analysis on started 27 of July 2009 and the last swab taken 21 of July 2009 and analysis were carry out as the swab were broaden as the swab were taken and started on 20 July 2009 and analysis ended 04 August 2009.

Q : How the DNA profiling on this buckle swab?

A : I was the para louds using the same technique as the, other exhibit was submitted under laboratory number (PJ) FOR 7670/09-0 the technique the polymerize the technician technique the 16 location to examine the DNA and 16 identify the location which was also examine previous test items.

Q : What were the DNA profile ....157 individual compared with?

A : This profile this 157 individual are compare 2 DNA profile, 1<sup>st</sup> the DNA profile the male one which is the right from the swab taken on back outer side the blazer no. 15 and tear region of waist-belt no. 17 as well as one other unknown male contribute indicated tear region in the path no. 17.

Q : What was the result of the test?

A : I found the male is not among the 157 individuals and this 157 individual un listed on laboratory number (PJ) FOR 7670/09-2 and 9 either any one 157 individual contributor source of the DNA derive of swab taken of the tear region no. 17.

Deputy Public Prosecutor : Pohon ditandakan report ke 2 – I 41.

Mahkamah : I 41.

**Question by GSD**

Q : May I refer you to page 4 of I24 i.e. your first report? On the top of the page, no.(ix), you said that there is an unknown male individual and you named that person “male 1” and then at no.(x) you said there is male 1 and at least 1 other male contributor. The “male 1” you referred to in paragraph (x) is it the same person in paragraph (ix)?

A : Same male.

Q : From the sample that you analysed, was it possible to say of what race that person was?

A : Not possible.

Q : Apart from identifying a male person, any other characteristics that can be identified of a person?

A : No. Not with the short tandem repeats. It does not give information about physical characteristics.

Q : In paragraph (x), you said that at least 1 other unknown male contributor, what do you mean?

A : I could infer that there is at least one other male individual or that could be more than 1 male individual. I know there is at least 1 but whether more or not is uncertain. For certain profile contains 3 persons but I am not certain whether contains more than 3 persons.

**SI 9 – DR. SEAH LAY HONG**

Q : You mean can be more than 3?

A : Can be more but that 4<sup>th</sup> person if he is there, he is a weak contributor.

Q : You said that you took swabs from the front and back outer side of shirt no.14. Did you examine the entire shirt?

A : No. The region where the bloodstains are avoided. Only none blood stain areas were swabbed.

Q : How do you know exactly where to look for DNA in the shirt?

A : That what a possible region which could be contacted. For example, I would not swab the edge because the shirt could be tucked in so unlikely to be contacted. And I did not swab the top end because there were blood stains and it would have marred the DNA.

Q : Did you see the photos of Teoh Beng Hock?

A : No.

Q : This information is not provided to you?

A : Yes.

Q : You should have asked?

A : I am a scientist and I work within the frame work.

Q : As a scientist which is looking to assist in an investigation in a death, are you not concerned to go within the narrow confine?

A : Yes.

**SI 9 – DR. SEAH LAY HONG**

Q : Then why did you not ask for photos to assist you for hypothesis?

A : The photos could be confidential.

Q : You did not ask whether it was confidential?

A : No, I did not. The exhibits were given to me and I did my analysis. Interactions would have been restricted to what he has given me.

Q : You agree that you have every opportunity to ask for photos that would have been important to lift the DNA?

A : Yes, I agree. But such information might may have been confidential.

Q : Then it may unlikely be confidential?

A : If given then I would work on it. But since not given I have to work on my own hypothesis.

Q : Let's come back on the swabbing of the belt. What hypothesis did you have when swab the belt?

A : Whether that could be a compact region and region diametrically which could be force applied at the direct opposite

Q : Can you explain further what you mean by force used?

A : I am not meaning force in a physic sense. A tear has occurred and I'm examining whether that tear is physical or mechanical. Whether that tear is an opposite reaction at the other end.

Q : Would you also say that there is a fair hypothesis that he was held by the belt and it snapped and he felt?

A : Speculation. That is one of the many possibilities.

**SI 9 – DR. SEAH LAY HONG**

Q : We come to the blazer. Which part of the blazer did you swab?

A : I explained earlier. I explained when I opened up the blazer earlier centre front and center back outer side.

Q : You said that the DNA samples that you got from the blazer and shirt of Teoh were his blood samples?

A : One was the blood stain and the other was the contact region.

Q : What you mean contact region?

A : Place where hypothetically might be contracted.

Q : How did you do that?

A : Sterile cotton swab and rub on the area if the DNA is good enough, it would be transferred.

Q : In other words, analysis shows that Teoh Beng Hock touched the blazer and the shirt?

A : The owner probably touched the shirt a lot as his skin touched it. Indication at no.(vii) of my report.

Q : So you have DNA of owner on blazer and shirt?

A : That is only for blazer no.15 and shirt no.14.

Q : So just random checking?

A : Not random. Checking where the possible areas.

Q : You will not know where they are as where it...?

A : I think this is bias question.

**SI 9 – DR. SEAH LAY HONG**

Q : Why you think it is bias?

A : Relying on one or more component of the investigation by another individual.

Q : IO has the most information?

A : Yes, if only the IO has completed the investigation.

Q : So if the information is completed, you would have done in different way?

A : No. It would have done the same way because that is the best possible way.

Ct : I think you have to remember she is an expert. Unless you have another expert.

Q : If you do not know where to hypothesize, then you do not know where to look and surely something is not right with that?

A : Can I ask what is not covered?

Q : You have said you have given the report?

A : ...

Q : You are saying you do not really know...

A : I think you are putting it in an extreme manner.

A : I think we are well grounded on the hypothesis as we have been working on 5 yrs. What areas are not covered as you are suggested?

**SI 9 – DR. SEAH LAY HONG**

Q : Reading on forensic and DNA expert says it is very important to understand how the body was found, agree?

A : Yes.

Q : But you did not ask. The original question is whether you had the photo?

A : Information surrounding the body was given to me. Original question was whether the picture was given to me.

Q : Did you have conversation with the IO for the information to be given?

A : Yes and also police form 31.

Q : Police form 31 does not give assistance. You should have asked the information?

A : Which I did. Only the photographs...

Q : Did you ask the IO for photos?

A : No, not at that stage.

Q : Did you ask the IO for photos at any stage?

A : Not at that stage. The later stage the photos were available on the internet.

Q : Did you ask the IO for photos of the body?

A : I asked for the circumstances.

Q : Did you ask for the photos?

**SI 9 – DR. SEAH LAY HONG**

A : No.

Q : Did you ask the IO about the circumstances the body was found?

A : Yes.

Q : What did he tell you?

A : The circumstances of the posture of the body.

Q : Or did you just rely on police form 31? What did you ask him?

A : There was a fall and the body was found on the 5<sup>th</sup> floor.

Q : Did he tell you the possibility that this man was interrogated and perhaps thrown out of his window?

A : Not in such a direct way.

Q : If he didn't tell you in such a direct way, which way?

A : He said that if the fall could be accidental or non accidental.

Q : ...?

A : No he did not tell me in such an explicit way. He would have to make his own hypothesis.

Q : Did he say anything about interrogation?

A : As what is reported in the newspapers.

Q : Apart from the belt, did you examine the waist area of the clothing on the deceased which would include the pants, the shirt and perhaps the blazer?

A : No. The back outer side of the blazer.

**SI 9 – DR. SEAH LAY HONG**

Q : [repeated the same question]

A : Not on the shirt. And trousers there were bloodstained so I did not swab.

Q : Blood stains are free on the other side. Why didn't swab here?

A : This would not be a good part to prove contact DNA except to prove ownership. This is not for ownership of the trousers. Scientifically the better part would be where the tear is and the other front part.

Q : You said part on the top is not good?

A : Good if for DNA ownership.

Q : Why did you check the belt then?

A : Because the belt was torn.

Q : If you think important to check the belt, why didn't you?

A : I didn't know rupture at which end.

Q : For the belt you were looking at the contact mean a man would have held him at the belt? If good for belt why not good for the waist area?

A : Rupture was second part of the trousers. Unstained area was at the side of the area. It will not co-relate with the rupture. That will not be good area with DNA.

Q : You said 2 hypthosis. One is rip and 2<sup>nd</sup> is from the back. So still got area has...

A : But the back part has stains.

**SI 9 – DR. SEAH LAY HONG**

Q : If people were holding him by the belt at that point of time, those people's contacts would have been on the pants on the waist area?

A : I wouldn't know.

A : Yes, if he was being held by the waist by other 4 persons at that area.

Q : It means that the hypothesis is consistent that more than 1 person? So my hypothesis is reasonable?

A : Yes, the blood stains is around the waist line. Areas on the side.

A : That sort of information was never conveyed to me.

Q : Show us a copy of police form 31. Was there a request form that gave you directions with what you supposed to do?

A : No.

Q : Out of curiosity, did you notice that the zip was dislodged?

A : Yes, and some of the tips of the zip were missing.

Q : Did you do an examination on that area of the pants?

A : No. There were heavy blood stains on the area.

Q : Relating to nail clippings. Can you tell me how many nail clippings sent to you?

A : Nail clippings B – 6. Nails clippings C -5.

Q : Is it common practice for nail clippings to be sent to DNA officer?

**SI 9 – DR. SEAH LAY HONG**

A : Yes.

Q : When you analysed nail clippings what were you looking for?

A : Foreign DNA.

Q : What does that mean?

A : Other dna and other foreign matter. Not nail tissues.

Q : The nail clipper sent to you. Whose nail clipper was that?

A : I am not sure.

Q : Did you test the nail clipper?

A : Yes. The cutting had the same DNA profile of blood stain specimen G.

Q : In conclusion, you would have had a lot of experience in cases of this nature, you will agree just because the lack of DNA samples found on the person (deceased) does not conclusively show that a person was not involved? The lack of DNA on shirts, blazer or pants does not exonerate would be suspects from being involved in the incident? In short, some people could be involved but you did not find the DNA?

A : Yes.

Q : Results that exonerates these 157 people may not be conclusive?

A : It was to compare the DNA.

Q : Only exonerates them for that?

A : Yes.

**SI 9 – DR. SEAH LAY HONG**

Q : Who were the persons who took the swabs?

A : The donor took the swabs in my presence.

Q : Examination done by whom?

A : Me and my co-workers.

Q : Results based on computer findings?

A : Genetic analyzer.

Q : Is that a computer?

A : It is a machine.

Q : You feed in a machine and the results come out?

A : Result is analysed by the machine.

Q : You did not take swabs from underwear?

A : Underwear would not be a possible contact area.

Q : If there were bodily injuries?

A : ...assuming if he is only clad in his underwear.

Q : Would there be cases where the blood represents mix samples? It could be blood mix?

A : Yes, if the aggressor is wounded.

Q : In this case, anything done to ascertain / to determine whether any blood?

A : Yes.

**SI 9 – DR. SEAH LAY HONG**

Q : ...?

A : Not only swabs but where the blood stains were found.

Q : Any swabs taken from the body

A : None were submitted to me.

**Questions by Rajpal**

Q : Look at the report at page 2, you found belt irregular frayed? What do you mean by irregular?

A : Regular if cut by sharp cutting object. Irregular if break by force rather than by sharp object.

Q : You have said here a button is missing on waist length of the trousers. Did you do any swab on the button area?

A : No.

Q : Did you ask the IO for the button?

A : The button was submitted to Saiful.

Q : Why you did not ask for button?

A : IO did not request for it to be checked.

Q : If you done with the regular hypothesis, why did not do DNA swab at that point?

A : More of hypothesis, because of the tear on the zip was dislodged.

**SI 9 – DR. SEAH LAY HONG**

Q : Exactly on the tear are other 3 male samples. If he was wearing a belt, do you agree it would have been there?

A : It could be there. It would be very weak. It would be a profile not readable. Amount of DNA on the tear was relatively low.

Q : If he had grab on the trousers?

A : There is no likely hood of that.

Q : Do you agree that you will not know unless you have done a DNA swabbing of the trousers and the button?

A : I am not sure.

Q : Were you given any watch?

A : No, only a watch strap.

**Question by THC.**

Q : In other cases which you have done DNA analysis is it normal or not normal for the IO to give photos before you do DNA testing?

A : Not normal to submit photos.

Q : What is done in this case is the normal procedure?

A : Yes.

Q : Did you find any foreign DNA on any clothing of the deceased or belt?

A : Yes. The foreign DNA was present at the tear region of the belt and the outer side at the back of the blazer.

**SI 9 – DR. SEAH LAY HONG**

Q : So this is “male 1” and 1 unknown male?

A : Yes.

Q : Based on your 2<sup>nd</sup> report, none of the 157 individuals match these 2 contributors?

A : Yes.

Q : Did the IO tell you the deceased was interrogated by SPRM and that suicide was a possible theory?

A : Yes.

**Questions by GSD**

Q : You just said earlier one of the hypothesis is that he was interrogated and after that he committed suicide?

THC : Did the IO tell that the deceased was interrogated and that suicide was the possibility?

Q : Was that the direction you took in your investigation?

A : No, it would be too narrow.

Q : Did the IO tell you that there is a possibility of murder?

A : Fall could be accidental or not accidental.

THC : Fall not accidental is not murder.

**SI 9 – DR. SEAH LAY HONG**

THC : Pohon saksi dilepaskan.

Ct : So another 88 witnesses left?

THC : I do not propose to call all.

GSD : Tomorrow we have site visit and because we may need a pathologist from Thailand to come on Monday. Based on the pathologist report, we may decide to go with cross-examination ourselves, or we can ask for the expert to come.

Ct : What other witnesses do we have?

THC : In my view, it is better to have the pathologist to be called after the chemist is called. If I were to ask for other witnesses, the pathologist will be deferred with at least a week.

Ct : Tomorrow we can start with with a pathologist and keep your (GSD) questions on Monday.

Malik : Saya sokong “application” ini. She(the expert) has informed that only next week is possible. In the meanwhile we are also consulting other people. The report is dense and contains a lot of evidence. We have problems understanding how the injuries were sustained. We would also make the same application with the assurance we will not delay the inquest.

Ct : We can start on Monday. But anyone we can call tomorrow?

**SI 9 – DR. SEAH LAY HONG**

THC : No. I think it is best for the pathologist to come first. I have no problem waiting for the expert to come on Monday if it is ok with Tuan.

Ct : We stick to what is posed to Ct. Tomorrow morning is for site visit. I am coming tomorrow for site visit. To inform about the arrangement later.

4.30 p.m.

t.t Azmil Muntpha binti Abas

**7 OGOS 2009**

Koram : Tuan Azmil Muntpha bin Abas  
TPR : Tuan Mohd Abbas Zafri b. Mohd Abas  
Encik Tan Hock Chuan

Peguam Pemerhati

(untuk keluarga simati) : Encik Gobind Singh Deo  
Encik S.N Nair  
Encik Ram Karpal Singh  
Encik Karpal Singh  
Lim Lick Eng

Peguam Pemerhati

(kerajaan Negeri Selangor) : Encik Malik Imtiaz Sarwar  
Encik Sreekant Pillay

Peguam Pemerhati

(Majlis Peguam) : Encik Cheow Wee  
Encik Rajpal Singh  
Encik Salim Bashir

Mahkamah : Hari ini melawat tempat kejadian di Plaza Masalam,  
Seksyen 9, Shah Alam. Kawasan yang dilawati ialah :

- a) Pejabat SPRM Tingkat 14.
- b) Tingkat 15 - pejabat Risikan SPRM
- c) Tingkat 5 - kawasan roof-top
  - tempat mayat dijumpai
- d) Lobi - tempat CCTV

t.t Azmil Muntapha bin Abas

