



**Majlis Peguam
Bar Council Malaysia**

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**Circular No 091/2020
Dated 6 Apr 2020**

To Members of the Malaysian Bar and pupils in chambers

**Criminal Appeal and Application for Review of Court Order against Violators of the
Movement Control Order**

We refer to the letter dated 2 Apr 2020 from the Director General of the Prison Department Dato' Sri Zulkifli bin Omar to the Chief Registrar of the Federal Court Tuan Ahmad Terrirudin bin Mohd Salleh entitled "Penerimaan Banduan Kesalahan Perintah Kawalan Pergerakan", which is widely being circulated among practitioners.

The Bar Council acknowledges the concern raised by the Prison Department and had written to the Chief Judge of Malaya and the Chief Registrar of the Federal Court on 5 Apr 2020.

In view of the above, should Members be of the view that any of their matters relating to MCO deserve to be reviewed by the High Court, they may proceed to do the same under sections 323 and 325 of the Criminal Procedure Code.

The Chief Registrar of the Federal Court, Tuan Ahmad Terrirudin bin Mohd Salleh, has issued a directive entitled "Permohonan untuk Semakan Kehakiman atau Rayuan Jenayah terhadap Perintah Mahkamah atas Kesalahan Pelanggaran Perintah Kawalan Pergerakan" that all Criminal Appeals and Applications for review of court order against violators of the MCO to be fixed for hearing on urgent basis and heard in open court.

The relevant portion of his email is reproduced below.

We hope that the information provided here is of assistance to Members. We will update Members as and when there are new developments.

Thank you.

**A G Kalidas
Secretary
Malaysian Bar**

6 April 2020

**Timbalan Pendaftar
Mahkamah Tinggi
Seluruh Malaysia**

Penolong Kanan Pendaftar
Mahkamah Tinggi
Seluruh Malaysia

Tuan/Puan,

Dengan hormatnya perkara di atas dirujuk.

2. Adalah saya diarahkan oleh YAA Hakim Besar Malaya dan YAA Hakim Besar Sabah dan Sarawak untuk memaklumkan bahawa sekiranya terdapat mana-mana pihak yang terkilan dengan perintah Mahkamah atas kesalahan yang melibatkan Perintah Kawalan Pergerakan (PKP) dan telah memfailkan Semakan Kehakiman atau Rayuan Jenayah, kerjasama tuan/puan adalah dipohon untuk membawa kepada perhatian YA-YA untuk menetapkan tarikh pendengaran dengan kadar segera serta hendaklah didengar di Mahkamah Terbuka.

Sekian, terima kasih.