

Yap Keng Ho v Public Prosecutor
[2008] SGHC 126

Case Number : Cr M 20/2008
Decision Date : 05 August 2008
Tribunal/Court : High Court
Coram : Choo Han Teck J
Counsel Name(s) : Applicant in-person; Christopher Ong Siu Jin and Lee Jwee Nguan (Deputy Public Prosecutor) for the respondent
Parties : Yap Keng Ho — Public Prosecutor
Criminal Procedure and Sentencing

5 August 2008

Choo Han Teck J:

1 The applicant was on trial together with his co-accused Chee Soon Juan before District Judge Thian Yee Sze ("DJ Thian") in respect of charges under the Public Entertainment and Meetings Act (Cap 257, 2001 Rev Ed). The trial commenced on 14 July 2008 and is scheduled to continue to 8 August 2008. In the interim, the applicant applied by this motion for the following orders:

1. Granted approval to file supplementary petition of appeal.
2. The reminding trials in sub court to be adjourned to await for completion of appeal. (*sic*)
3. Granted High Court Order to prosecution to provide copies of video evidence in DVD format.
4. High Court to hear injustice suffered by applicant as a result of UNREASONABLE ABUSE of PEMA. (*sic*)

2 No affidavit in support was filed, and the prayers set out in the application made no sense without more. The applicant explained orally at the hearing of the application that the first prayer concerned the filing of a supplementary petition of appeal that did not concern his present trial. It concerned a matter in which he had been convicted on similar charges and his appeal against the conviction is pending. If that were the case, an application for leave to file a supplementary appeal or to amend his petition of appeal, or any matter relating to that appeal must be made specifically in reference to that matter. This was not done and on this ground the applicant had no right to appear before any court; one cannot ask to file a supplementary petition generally.

3 The applicant also stated that prayers 2, 3, and 4 of this application concerned matters arising from the trial before DJ Thian. That being the case, for the reasons set out in *Yap Keng Ho v Public Prosecutor* [2007] 1 SLR 259 and *Chee Soon Juan v Public Prosecutor* [2006] SGHC 202, two cases which involved the same applicant and his same co-accused making similar applications to the one presently made, this application was dismissed.

4 I will remind the applicant that all applications concerning the trial must be made to the trial judge and no further applications of this nature shall be made to this court. The applicant is not without recourse if he should be aggrieved by the decision of the trial judge - there is the appeal

process that is available to every party in the proceedings. He must respect the rule of law as everyone must, be he prince or pauper, and he should begin by respecting the judicial process and the trial judge.

Copyright © Government of Singapore.