

Four acquitted of gang-rape charge

SHAH ALAM, Tues. — Four men, including one with impaired vision, were acquitted by the Sessions Court today without their defence being called on a charge of gang-raping an Indonesian maid.

Judge Suraya Othman said the medical evidence showed no sign of struggle.

"These were consistent with a person who is sexually active, especially when she is married and has children," she said.

She said the prosecution did not put forward any DNA evidence and a chemist's report to show the four had had sex with her.

"If at all there was sexual intercourse, the prosecution had failed to prove it was done without her consent," she said.

Suraya said the woman in her evidence said she had not attempted to fight, scream or ask for help when the opportunity arose.

"There is no evidence that

she was tied, injured or confined by the accused," she said.

Suraya also questioned why the woman, 27, had not lodged a police report if it were true she had been forced to have sex with the accused.

The judge said she could not accept the contention of the prosecution that the woman was helpless and frightened, which led her to submit to the accused.

The four were charged with raping her at three houses in Bukit Sentosa, Ulu Selangor, between Nov 24 and Nov 27, 2003.

N. Mahendran, 21, whose claim of going blind was medically supported, was alleged to have committed the offence twice, while unemployed N. Sivaprasath 20, and S. Manickaselvam, 25, faced one charge each.

Factory worker Khor Chin Hock, 30, faced three counts of raping the victim.