CURRENT ESSENTIAL ISSUES IN THE MALAYSIAN LAW OF EVIDENCE

Editor
Akram Shair Mohamed

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Mohd Akram Shair Mohamed

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## Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Authors</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A Brief Critical Appraisal of the Hearsay Rule</td>
<td>Mohd Akram Shair Mohamed &amp; Zulfakar Ramlee</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Entrapment as a Defence: A Brief Overview of the Law in England, Australia, Canada, New Zealand, Malaysia, Singapore and USA</td>
<td>Mohd Akram Shair Mohamed &amp; Mohammad Ismail Mohd Yunus</td>
<td>13</td>
</tr>
<tr>
<td>3</td>
<td>Evidence of an Accomplice: Does it Require Corroboration?</td>
<td>Mohd Akram Shair Mohamed</td>
<td>19</td>
</tr>
<tr>
<td>4</td>
<td>Standard of Proof Required to Prove Fraud in Civil Cases</td>
<td>Mohd Akram Shair Mohamed</td>
<td>29</td>
</tr>
<tr>
<td>5</td>
<td>Judicial Exegesis of the Term Prima Facie Case in Section 180 of the Amended Criminal Procedure Code</td>
<td>Mohd Akram Shair Mohamed</td>
<td>37</td>
</tr>
<tr>
<td>6</td>
<td>Presumption of Legitimacy Under Section 112 of the Evidence Act 1950 Leptospirosis</td>
<td>Mohd Akram Shair Mohamed &amp; Zulfakar Ramlee</td>
<td>45</td>
</tr>
<tr>
<td>7</td>
<td>Shedding the res gestae Doctrine of its Legally Formalistic Fetters</td>
<td>Mohd Akram Shair Mohamed &amp; Shahnaz Zuriati Sabri</td>
<td>53</td>
</tr>
</tbody>
</table>
Chapter 8:  
The Admissibility of Unfair or Illegally Obtained Evidence:  
A Brief Overview  
Mohd Akram Shair Mohamed & Shahnaz Zuriati Sabri

Chapter 9:  
The Nature and Scope of Marital Privilege Under  
the Evidence Act 1950  
Mohd Akram Shair Mohamed

Chapter 10:  
The Role of Corroboration under the Evidence Act 1950  
Mohd Akram Shair Mohamed & Zulfa Kar Ramlee

Chapter 11:  
The Evidential Weight of Document Generated by Computer:  
A Comparative Legal Appraisal  
Mohd Ismail Mohd Yimus
EVIDENCE OF AN ACCOMPLICE: DOES IT REQUIRE CORROBORATION?

Mohd Akram Shair Mohamed

In Balachandran v PP [2005] 2 MLJ 301 the Federal Court through Augustine Paul JCA after referring to Section 134 of the Evidence Act 1950 which says that no particular number of witnesses shall in any case be required for proof of any fact. This means that under our Evidence Act 1950 corroboration or broadening speaking independent confirmation of or support for a witness’s testimony, is in general not required. If the quality not the quantity of the evidence that is looked at, in the common law systems, unlike some other systems, an accused can be convicted on the testimony of a single witness. As Augustine Paul JCA in Balachandran Supra said at p. 310, “Where the evidence of a witness of a witness does not require to be corroborated in law there is no obligation to tender corroborative evidence to support his testimony. Thus if the case for the prosecution rests solely on the