

CURRENT ESSENTIAL ISSUES IN THE MALAYSIAN LAW OF EVIDENCE

Editor
Akram Shair Mohamed

IIUM PRESS
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA



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IIUM Press

Published by:
IIUM Press
International Islamic University Malaysia

First Edition, 2011
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Perpustakaan Negara Malaysia Cataloguing-in-Publication Data

Professor Dr. Mohd Akram Shair Mohamed
Current Essential Issues In The Malaysian Law Of Evidence
Professor Dr. Mohd Akram Shair Mohamed
Include Index
ISBN 978-967-418-224-3

ISBN 978-967-418-224-3

Member of Majlis Penerbitan Ilmiah Malaysia - MAPIM
(Malaysian Scholarly Publishing Council)

Printed by:
IIUM PRINTING SDN. BHD.
No. 1, Jalan Industri Batu Caves 1/3,
Taman Perindustrian Batu Caves,
Batu Caves Centre Point,
68100 Batu Caves,
Selangor Darul Ehsan

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Chapter 3

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 broading 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