**MALAYSIA**

**IN THE HIGH COURT OF SABAH AND SARAWAK**

**AT KOTA KINABALU**

**SUIT NO.** BKI-22NCvC-47-5/2026 (HC2)

**BETWEEN**

**MARCEL JUDE A/L M S JOSEPH**
**(NRIC NO. 610308-10-6249)** **... PLAINTIFF**

**AND**

**SURUHANJAYA PENCEGAHAN RASUAH MALAYSIA**
**(SPRM)** **... DEFENDANT**

# WRIT OF SUMMONS

**"THE RIGHT HONOURABLE DATUK HAJAH AZIZAH BINTI HAJI NAWAWI (KMN, PMW), CHIEF JUDGE OF THE HIGH COURT IN SABAH AND SARAWAK, IN THE NAME AND ON BEHALF OF SERI PADUKA BAGINDA YANG DI-PERTUAN AGONG"**

To:

(1) **SURUHANJAYA PENCEGAHAN RASUAH MALAYSIA (SPRM)**
Aras 3, Blok A, Kompleks Pentadbiran Kerajaan Persekutuan Sabah, Jalan UMS, Peti Surat 6000, 88400 Kota Kinabalu, Sabah.

(2) **SURUHANJAYA PENCEGAHAN RASUAH MALAYSIA (SPRM)**
No. 2, Leboh Wawasan, Presint 7,
62250 Putrajaya,
Wilayah Persekutuan Putrajaya.


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**WE COMMAND YOU**, that within fourteen (14) days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in a cause at the suit of the Plaintiffs

**AND TAKE NOTICE**, that in default of your so doing the Plaintiffs may proceed therein to judgment and execution.

**WITNESS PUAN AZREENA BINTI AZIZ @ ABDUL AZIZ, REGISTRAR OF THE HIGH COURT IN SABAH AND SARAWAK ON** 6th DAY OF MAY, 2026

PRISKILA AKWILA ADVOCATES ADVOCATES & SOLICITORS

Digitally Signed by PRISKILA AKWILA SINEM
E-KEHAKIMAN SABAH & SARAWAK
Signing Date:06.05.2026 07:30:54 +0800

HIGH COURT SARAWAK & SABAH

HIGH COURT KOTA KINABALU
NUR FARHANA BINTI HASHIM
DEPUTY REGISTRAR

Digitally Signed by NUR FARHANA BINTI HASHIM
E-KEHAKIMAN SABAH & SARAWAK
Signing Date:08.05.2026 16:00:11 +0800

**MESSRS PRISKILA AKWILA ADVOCATES**
**ADVOCATES FOR THE PLAINTIFF**

**DEPUTY/SENIOR ASSISTANT REGISTRAR**
**HIGH COURT, KOTA KINABALU**

***Memorandum to be subscribed on the writ***

This writ may not be served more than six calendar months after the above date unless renewed by the order of the court.

The Defendant (or defendants) may appear hereto by entering an appearance (or appearances) either personally or by an solicitor(s) at the Registry of the High Court.

A Defendant appearing personally may, if he desires, enter his appearance by post, and the appropriate forms may be obtained by sending a Postal Order for RM10.00 with an addressed envelope to the Registrar, High Court at Kota Kinabalu.

***Endorsement to be made on writ before issue***

***Endorsement of Claim***

The Plaintiffs' claim against the Defendant is for:

1. A declaration that by reason of the Letter of Authorization/Instruction dated 27 December 2023 executed by AWANG MOHD TAHIR BIN MOHD TALIB and FAUZIAH BINTI PIUT, the Defendant is bound and/or liable to release and pay to the Plaintiff the sum of RM5,000,000.00 out of the monies and/or assets seized, frozen, retained and/or controlled by the Defendant belonging to the said AWANG MOHD TAHIR BIN MOHD TALIB and FAUZIAH BINTI PIUT.

2. An order that the Defendant forthwith release and pay to the Plaintiff the sum of RM5,000,000.00 from the said monies and/or assets.

3. Alternatively, damages in the sum of RM5,000,000.00.

4. Interest, costs, and such further or other relief as this Honourable Court deems fit.

Dated 6th DAY OF MAY, 2026


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Digitally Signed by PRISKILA AKWILA SINEM
E-KEHAKIMAN SABAH & SARAWAK
Signing Date:06.05.2026 07:30:54 +0800

**MESSRS PRISKILA AKWILA ADVOCATES**

Solicitors for the Plaintiff

And such sum (or such sum as may be allowed on taxation for costs, and also, if the Plaintiff(s) obtains in order for substituted service, the further sum of RM (or such sum as may be allowed on taxation). If the amount claimed and costs be paid to the Plaintiff(s) or his solicitor within 8 days after service hereof (inclusive of the day of service), further proceedings will be stayed, but if it appears from the endorsement on the writ that the Plaintiffs are resident outside the scheduled territories, as defined by the Exchange Control Act, 1953, or is acting by order or on behalf of a person so resident, proceedings will only be stayed if the amount claimed and costs is paid into court within the said time and notice of such payment is given to the Plaintiff(s) or their solicitor.

***Endorsement as to solicitor and address***

This **WRIT OF SUMMONS** is filed by Messrs Priskila Akwila Advocates, Advocates & Solicitors for the Plaintiff whose address for service is at 8-1, 8th Floor, Suria Sabah Shopping Mall, 1, Jalan Tun Fuad Stephens, 88000 Kota Kinabalu, Sabah, Malaysia


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***Endorsement as to service***

This WRIT OF SUMMONS was served by ……... by way of personal service (or as may) (state manner of service or in accordance with the terms of an order for substituted service) on the Defendant (who is known to me) (or who was pointed out to me by ……) (or who admitted to me that she/he was ……) at ……(place) on …….. am/pm, the …… day of ……, 20 .

Endorsed the …… day of ……, 20 .

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# WRIT OF SUMMONS

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**MESSRS PRISKILA AKWILA ADVOCATES**

**ADVOCATES & SOLICITORS**

**8-1, 8TH FLOOR, SURIA SABAH SHOPPING MALL,**

**1, JALAN TUN FUAD STEPHENS,**

**88000 KOTA KINABALU, SABAH, MALAYSIA**


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