



19 September 2013

## **Press Release**

Today, 19<sup>th</sup> September was the date given by Mr. AK M Shamsul Alam, the Judge of the Cyber Crimes Tribunal to frame the charges against Adilur Rahman Khan. On 17<sup>th</sup> September, in the late afternoon, Adil's lawyers learnt that he would be brought to Dhaka Central Jail from Kashimpur Jail so as to be near the Tribunal, held in the Metropolitan Sessions Court. The reason being that the Jamaat I Islami party had called a 48 hour hartal on 18<sup>th</sup> and 19<sup>th</sup> of September to protest the death sentence of one of their leaders, Kader Mollah by Appellate Division ; and that travel from Kashimpur to the Tribunal, almost a 3 hour journey, would not be safe.

On 18<sup>th</sup> of September, Adil's lawyers and family learnt that the Judge had given an order late at night on 17<sup>th</sup> September, not to take Adil to Dhaka Central Jail as he would not be presented before the court. As per the Code of Criminal Procedure, at the time of framing charges, the accused is presented to the Court and hears the charges brought against him.

On 19<sup>th</sup> September, Adil's lawyers were present in the Cyber Crimes Tribunal, only to find that a Prosecutor had not been appointed as yet to represent the Government at this trial. It is to be reminded here, that the Detective Branch of Police submitted to the Tribunal judge a charge-sheet/prosecution report on 04 September 2013, in his chambers without the knowledge of Adil's lawyers; and a few days later, his lawyers learnt that a Tribunal had not yet been set up, the judge did not have a room, note taker or clerk. Despite this, he gave the date for hearing charges on 19 September.

Adil's lawyers claimed in the Tribunal that this amounted to harassment of their client, as a Prosecutor could have been appointed on deputation from another court to serve this purpose. Without the presence of a Prosecutor, the prosecution report could not be read or argued upon. As a result, the Tribunal judge decided on 25<sup>th</sup> September as the next date to hear the charges. He also ordered, in open court, that Adil be presented to the Tribunal on that date.

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