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**IN THE HIGH COURT OF MALAYA AT KUALA LUMPUR  
(CIVIL DIVISION)  
CIVIL SUIT NO.: WA-22NCvC-184-03/2019**

BETWEEN

KRISHNA KUMAR A/L R.K KRISHNAN  
(NRIC: 630721-08-5339)  
(Suing as the Public Officer of the Malayan  
Racing Association registered under the  
Societies Act 1966)

...Plaintiff

AND

ANNA MAREE SCOTT  
(New Zealand Passport No: No. LN993769)

...Defendant

**BEFORE THE HONOURABLE JUDGE  
MOHD. SOFIAN BIN ABD. RAZAK  
19 TH APRIL 2019**

**IN CHAMBERS**

**JUDGEMENT**

**UPON** the Plaintiff's action coming up for case management today **AND UPON**  
**READING** the Plaintiff's Writ of Summons dated 25.3.2019 [Enclosure 1] and the  
Plaintiff's Statement of Claim [Enclosure 2], all filled herein **AND UPON HEARING** G.  
Rajasingam, solicitor for the above named Plaintiff and the above named Defendant  
appearing in person **IT IS HEREBY ADJUDGED BY CONSENT** that :-

1. the Defendant abovenamed, whether by herself, and/or her agents, and/or servants and/or any of them otherwise howsoever is hereby restrained and an injunction is hereby issued restraining the Defendant abovenamed, whether by

herself and/or through her agents, and/or servants and/or any of them otherwise howsoever from writing, posting and publishing and/or causing to be written, posted and published:-

- (i) the words as set out in the Facebook publications as particularized in paragraphs 18, 23, 28, 33, 38, 43, 47, 48, 52, 53, 54, 58, 59, 60, 65, 70, and 75 of the Statement of Claim and/or such other similar or like words concerning, and of, the Plaintiff; and
- (ii) the meanings/allegations as set out above in paragraphs 21, 26, 31, 36, 41, 46, 51, 57, 63, 68, 73, and 78 of the Statement of Claim and/or such other similar or like meanings/allegations concerning, and of, the Plaintiff

on the Defendant's Facebook Account at <https://www.facebook.com/AnnaScott.2931> and on the Defendant's Facebook Page at <https://www.facebook.com/Anna-Scott-Holdings-Racing-KL-202589333127363> (Defendant's Facebook Accounts) and/or any other social media platform;

2. the Defendant whether by herself and/or through her agents, and/or servants and/or any of them otherwise howsoever is hereby restrained and an injunction is hereby issued restraining the Defendant abovenamed whether by herself and/or through her agents, and/or servants and/or any of them otherwise howsoever from further sharing and/or disseminating or causing to be shared and/or disseminated to any third party or person

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(i) words set out in the Facebook Publications as particularized in paragraph 18, 23, 28, 33, 38, 43, 47, 48, 52, 53, 54, 58, 59, 60, 65, 70, and 75 of the Statement of Claim and/or such other similar or like words concerning, and of, the Plaintiff; and

(ii) the meanings/allegations as set out above in paragraph 21, 26, 31, 36, 41, 46, 51, 57, 63, 68, 73, and 78 of the Statement of Claim and/or such other similar or like meanings/allegations concerning, and of, the Plaintiff

on Defendant's Facebook Accounts and/or any other social media platforms;

3. the Defendant whether by herself and/or through her agents, and/or servants and/or any of them otherwise howsoever is hereby directed and an injunction is hereby issued directing the Defendant whether by herself and/or through her agents, and/or servants and/or any of them otherwise howsoever to forthwith take down, remove, expunge and delete all traces of:-

(i) the writings, postings and publications (including comments) set out in the Facebook Publications as particularized in paragraph 18, 23, 28, 33, 38, 43, 47, 48, 52, 53, 54, 58, 59, 60, 65, 70, and 75 of the Statement of Claim and/or such other similar or like words concerning, and of, the Plaintiff; and

(ii) the allegations as set out above in paragraph 21, 26, 31, 36, 41, 46, 51, 57, 63, 68, 73, and 78 of the Statement of Claim and/or such other similar or like meanings/allegations concerning, and of, the Plaintiff

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on Defendant's Facebook Accounts and/or any other social media platforms; and

4. The Defendant undertakes to this Honourable Court not to repeat the writings, postings and/or publications :-

(i) as set out in the Facebook Publications as particularized in paragraph 18, 23, 28, 33, 38, 43, 47, 48, 52, 53, 54, 58, 59, 60, 65, 70, and 75 of the Statement of Claim and/or such other similar or like words concerning, and of, the Plaintiff; and

(ii) concerning the allegations as set out above in paragraph 21, 26, 31, 36, 41, 46, 51, 57, 63, 68, 73, and 78 of the Statement of Claim and/or such other similar or like meanings/allegations concerning, and of, the Plaintiff.

on Defendant's Facebook Accounts and/or any other social media platforms;

5. The Defendant undertakes to this Honourable Court to forthwith issue to the Plaintiff a Letter of Apology, Retraction and Undertaking in terms of Appendix A to this Consent Judgment.

6. The Defendant undertakes to this Honourable Court to forthwith read out in Open Court the contents of the Letter of Apology, Retraction and Undertaking in terms of Appendix A to this Consent Judgment.

7. The Defendant undertakes to this Honourable Court to forthwith post and/or publish a signed and dated copy of the Letter of Apology, Retraction and Undertaking for 14 continuous days on the Defendant's Facebook Account at <https://www.facebook.com/AnnaScott.2931> and on the Defendant's Facebook Page at <https://www.facebook.com/Anna-Scott-Holdings-Racing-KL-202589333127363>.
8. The Defendant to pay the Plaintiff RM20,000.00 as costs of the *Inter Partes* Injunction Application and as cost of this action.
9. Parties shall be at liberty to apply.

Dated this 19 day April 2019




IDAMASLIZA BINTI MAAROF  
 Timbalan Pendaftar  
 Mahkamah Tinggi Malaya  
 .....Kuala Lumpur.....  
 Deputy Registrar  
 High Court of Malaya  
 Kuala Lumpur

Penal Endorsement pursuant to Order 45 rule 7 of the Rules of Court 2012

If you, the within-named ANNA MAREE SCOTT disobey this judgment, you will be liable to process of execution for the purpose of compelling you to obey the same.

If you, the within-named ANNA MAREE SCOTT neglect to obey this judgment by the time therein limited, you will be liable to process of execution for the purpose of compelling you to obey the same.

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This Judgement is filed by Messrs. Shearn Delamore & Co, Solicitors for the Plaintiff, with an address for service at 7<sup>th</sup> Floor, Wisma Hamzah-Kwong Hing, No. 1 Leboh Ampang, 50100 Kuala Lumpur.

Tel : 03- 2027 2911/2610

Fax: 03- 2034 2763

[Ref: SD 4332730 (GR)]

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