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Judge: Man's admissions can be heard in Internet sex trial

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Admissions made by a man accused of sexually assaulting a teenage girl via the Internet may be heard by a jury, a judge ruled Friday.

Babar Chaudhry, 34, could face up to life in prison on felony charges

of first-degree criminal sexual conduct, extortion, child sexually abusive activity and using a computer to commit the crimes.

Chaudhry



Chaudhry

tended to be the girl and tracked Chaudhry through Internet provider addresses to his brother's home in Indiana, where he had been visiting in August, testimony showed.

Chaudhry is a Pakistani national living in Dubai, United Arab Emirates. He was visiting his brother in Indiana on a two-week vacation.

His lawyer, Raymond Cassar, asked Andrews to disallow from evidence the videotaped interview, recorded Aug. 17 in the Fort Wayne, Ind., police department after Chaudhry was taken into custody by Oakland County Sheriff's detectives.

right to have an attorney."

Chaudhry testified Wednesday, saying he was fearful because Brian told him that if federal investigators were brought in, he would face a stiffer penalty.

"I didn't know the laws over here, and I wanted an attorney so I could speak with him beforehand," Chaudhry said. "I thought it is going to be a bad thing for me" to demand an attorney.

Assistant Oakland County Prosecutor Matthew Roth said Brian merely explained the likely events.

Cassar said the suggestion of arresting the brother was a threat to make Chaudhry talk. But Roth said the arrest was a possibility because Internet provider addresses linked to the brother's Indiana home and the brother's knowledge of computers made him more of a suspect.

goes to trial next month before Oakland County Circuit Judge Steven N. Andrews.

He is accused of hacking into and taking over a girl's computer via programs e-mailed secretly.

Meeting her on a social site, he allegedly threatened to ruin her parents' credit if she did not send nude photographs, and he later threatened to post those photographs on MySpace.com unless she performed a sex act on camera, authorities said.

Detectives and prosecutors allege that Chaudhry extorted the girl, forcing her to record herself on a Web camera performing a sex act. Their communications lasted weeks, ending after she reported them to police.

Online investigators pre-

Cassar argued that Chaudhry asked for an attorney at the start of the police interview. In a hearing Wednesday afternoon, the first 35 minutes of the tape were played, as Chaudhry asked what would happen if an attorney were requested.

Sheriff's Detective Sgt. Joseph Brian, who heads the department's computer crimes unit, explained in detail what he wanted from Chaudhry: an explanation of why he was exchanging sexually charged messages with a 16-year-old Rochester Hills girl.

Brian said that if Chaudhry wanted a lawyer, investigators would assume the worst and also would arrest Chaudhry's brother, who was the initial suspect, because they were not sure who was responsible for the online exchanges.

Cassar said that deprived Chaudhry of "his absolute

Roth said that if investigators were not sure who was sending the messages, they had to detain both brothers to ensure the responsible one did not flee.

Brian testified he focused on Chaudhry because of a "hunch."

Andrews ruled the admissions in the interview could be used because police did not intimidate or force him to talk. The judge noted Chaudhry could understand his rights against self-incrimination because he is a college graduate who speaks good English and helps run the family business selling satellite dishes in Dubai. His trial is scheduled to begin Feb. 13.