

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 256 ✓

IMPOSING ON MUNICIPAL JUDGE PLACIDO RANAY OF PILAR, BOHOL,
A FINE EQUIVALENT TO ONE MONTH'S PAY.

This is an administrative case initiated by Justo C. Boiser Sr., Pastor C. Boiser, Macario Morata, Maximino Boiser Jr. and Bonifacia B. Salumbides, charging respondent Municipal Judge Placido Ranay of Pilar, Bohol, with having tried and decided on the merits Criminal Cases Nos. 75, 76, 77, 78 and 80 (for estafa through falsification of public documents) and acquitting the accused therein. The case was investigated by the Executive Judge of Bohol.

Respondent explained that his decision should be construed as a resolution dismissing the cases for failure of the complaining witnesses (complainants herein) to establish a prima facie case in the second stage of the preliminary investigation. The record, however, yields admissions by respondent that a decision was by him rendered in said cases in the belief that the municipal court had jurisdiction over the crime of estafa through falsification of public documents. Worse, during the investigation, respondent insisted that the hearing he conducted "was on the merits" (pp. 8, 36, 37 and 39, t. s. n., Cadiz).

The crime of estafa through falsification of public documents is punishable with prision correccional in its medium and maximum periods and a fine of not more than ₱5,000 (Art. 48 in conjunction with Articles 172 and 316 of the Revised Penal Code). The concurrent jurisdiction of inferior courts (other than the municipal courts of provincial capitals and city courts) with the courts of first instance is confined only to crimes punished with imprisonment for not more than 3 years or a fine of not more than ₱3,000 or both such fine and imprisonment (Sec. 87 of Republic Act No. 296, as amended by Republic Act No. 3828).

The foregoing facts show that respondent is clearly guilty of ignorance of the law. He should have known the extent of his jurisdiction by a mere reading of the law on the matter. Moreover, on February 24, 1967, respondent entrusted to a private party the record of the aforesaid criminal cases for transmission to the provincial fiscal after the rendition of his decision on January 31, 1967, and not to the clerk of the Court of First

Instance as decreed by Section 12, Rule 112 of the Rules of Court. The provincial fiscal had to request for the records of the aforementioned cases which were not delivered to him until March 7, 1967.

Wherefore, and as recommended by the Secretary of Justice, the respondent is hereby fined in an amount equivalent to one (1) month's salary. He is further warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this **12th** day of **December** ,
in the year of Our Lord, nineteen hundred and seventy.

By the President:

PONCIANO G. A. MATHAY
Acting Assistant Executive Secretary