

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 334

EXONERATING MUNICIPAL JUDGE BENEDICTO LOGRONIO OF KAROMATAN, LANAOS DEL NORTE.

This is an administrative case against Municipal Judge Benedicto Logronio of Karomatan, Lanao del Norte, for incompetence and ignorance of the law. The charges were formally investigated by District Judge Eduardo C. Tutaan of the Court of First Instance of Lanao del Norte.

The case stemmed from respondent's issuance of warrants of arrest in a criminal case for kidnapping and serious illegal detention against the complainant, Governor Arsenio A. Quibranza of Lanao del Norte, his brother Luis Quibranza and Francisco Abalos, and in the three (3) criminal cases for corruption of public officials against Francisco Abalos. Complainant claims that respondent did not conduct any preliminary investigation in said cases prior to the issuance of the corresponding warrants of arrest therein; and that respondent should not have given due course to the three (3) criminal cases against Francisco Abalos on the ground that the elements constitutive of the offense were not all present.

During the hearing it was established that in all the aforesaid criminal cases respondent conducted the requisite preliminary examinations in the form of searching questions and answers before issuing the warrants of arrest against the accused, thereby belying the charge that respondent committed irregularity in connection therewith. The observation of the Investigating Judge that respondent acted with undue haste in conducting the aforesaid preliminary examinations and issuing the warrants of arrest against the accused is not well taken. While it is true that these happened on the same date, December 29, 1970, there is nothing in the record that some irregularity attended the same; hence the presumption of regularity in the performance of official duties stands in respondent's favor.

Finally, the charge that the complaints (Crim. Cases Nos. 446, 449 and 450) for corruption of public officials should not have been given due course because not all the elements thereof were present is also devoid of merit. The allegations in the criminal complaints that the accused purportedly offered sums of money to the municipal officials "in his capacity as municipal mayor" ("vice-mayor" and "councilor," as the case may be) substantially complete the elements of the offense charged which is punishable not necessarily by the Revised Penal Code but under the Anti-Graft Law.

Wherefore, and as recommended by the Secretary of Justice, Municipal Judge Benedicto Logronio of Karomatan, Lanao del Norte, is hereby exonerated from the charges.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and seventy-two.

By the President:



RONALDO B. ZAMORA
Assistant Executive Secretary

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