

****Title: People of the Philippines vs. Teresita Puig and Romeo Porras****

****Facts**:**

On November 7, 2005, the Provincial Prosecutor of Iloilo, Philippines, lodged 112 complaints of Qualified Theft against Teresita Puig (Cashier) and Romeo Porras (Bookkeeper) of the Rural Bank of Pototan, Inc., marked as Criminal Cases No. 05-3054 to 05-3165. The charges alleged that, through grave abuse of confidence and without the bank's consent, they misappropriated various sums of money, harming the bank financially.

After reviewing the Informations for probable cause for arrest warrants, the Regional Trial Court (RTC) of the 6th Judicial Region, Branch 68 in Dumangas, Iloilo, identified deficiencies including the lack of explicit ownership of the stolen money by the bank and the absence of an alleged high degree of confidence between the parties due to their positions. Consequently, on January 30, 2006, and June 9, 2006, the RTC dismissed the cases and denied the motion for reconsideration, arguing infringement of the accused's constitutional rights to be properly informed of the accusations.

The People, through the Office of the Solicitor General, escalated the matter to the Supreme Court via a Petition for Review under Rule 45, challenging the RTC's orders and contending that the Informations conformed to the statutory requirements of depicting Qualified Theft, emphasizing the legal relationship between banks and depositors aligning with property ownership and the implicit trust breached by Puig and Porras.

****Issues**:**

1. Whether the Informations for Qualified Theft adequately alleged the non-consensual taking of property and the qualifying circumstance of grave abuse of confidence.
2. The appropriate party to challenge the trial court's dismissal and the correct appeal procedure.

****Court's Decision**:**

The Supreme Court granted the petition, reversing the RTC's rulings. It held that the Informations sufficiently detailed the crime of Qualified Theft. The Court elaborated on the established legal principle that bank deposits are owned by the bank, rendering it the proper offended party in theft cases. It clarified that the positions held by Puig and Porras implied a significant degree of trust from their employer, which their actions purportedly abused. The Court rebuffed procedural objections regarding the appeal, noting that questions of law were appropriately raised under Rule 45. Moreover, it underscored the

prosecutor's authority to seek reconsideration of a dismissal in criminal cases, clarifying that such appeals are on behalf of the State, thereby supporting the petitioner's standing.

****Doctrine**:**

1. ****Ownership of Deposits**:** Money deposited in banks is owned by the banks, with depositors regarded as creditors, thus making banks the injured parties in cases of misappropriation by bank employees.
2. ****Qualified Theft Elements**:** The mere allegation in Informations of positions entrusting employees with a bank's money, coupled with mentions of grave abuse of confidence and intent to gain without the bank's consent, sufficiently states a case for Qualified Theft.

****Class Notes**:**

- ****Key Concepts**:** Ownership of Deposits, Qualified Theft, Grave Abuse of Confidence.
- ****Relevant Statutes**:** Article 1980 and Article 1953 of the New Civil Code, emphasizing the bank's ownership of deposits; Article 310 of the Revised Penal Code, defining Qualified Theft.
- ****Application**:** In criminal cases for theft involving bank employees, it is essential to assert the bank's ownership of the funds and the breach of trust toward the institution, rather than individual depositors.
- ****Doctrine Citation**:** The Supreme Court has consistently ruled that banks acquire ownership of deposited funds and that bank employees who misappropriate these funds commit Qualified Theft through grave abuse of the trust reposed in them by their positions.

****Historical Background**:**

This case highlights the evolving jurisprudence on the relationship between banks, their employees, and the depositors, specifically in incidents of misappropriation. It underscores the judiciary's role in interpreting statutory provisions concerning property ownership in the banking sector, trust relationships, and their implications for criminal liability.