

Jimenez vs. Hon. Alberto V. Averia, Ofelia V. Tang, and Estefania de la Cruz Olanday

Facts

Manuel Jimenez filed a complaint for estafa before the Court of First Instance (CFI) of Cavite, docketed as Criminal Case No. TM-235. Respondents Ofelia V. Tang and Estefania de la Cruz Olanday were accused of misappropriating P20,000.00 that Jimenez had given them to purchase a fishing boat known as "Basnig." The arrangement stipulated that if the boat was not purchased by January 30, 1963, the money should be returned.

Before the arraignment in the estafa case, Tang and De la Cruz Olanday filed Civil Case No. 6636 in the CFI of Quezon, contesting the validity of the receipt dated October 25, 1962, which acknowledged their receipt of P20,000.00 from Jimenez for the purpose of buying the boat. They claimed they never received the money, and the signatures on the receipt were obtained by fraud, deceit, and intimidation. Consequently, they filed a motion to suspend the criminal proceedings in Criminal Case No. TM-235 on the ground of a prejudicial question. The respondent judge granted this motion on October 18, 1963.

Jimenez then petitioned to the Supreme Court to challenge the suspension of the criminal case, arguing that the respondent judge committed a grave abuse of discretion amounting to lack of jurisdiction.

Issues

1. Whether the determination of the issue in Civil Case No. 6636 constitutes a prejudicial question that justifies the suspension of the criminal case for estafa.

Court's Decision

Prejudicial Question

The Supreme Court analyzed the concept of prejudicial questions and how it pertains to the relationship between civil and criminal proceedings. As defined, a prejudicial question is one that arises in a case, the resolution of which is logically antecedent to the issue involved in the criminal case, and the cognizance of which belongs to another tribunal.

Application:

- The Court determined that the alleged prejudicial question in Civil Case No. 6636 was not determinative of the guilt or innocence of Tang and De la Cruz Olanday in the criminal case for estafa. Even if the receipt in question was executed through fraud, duress, or intimidation, the guilt of the accused could still be established through other evidence showing they received the sum of P20,000.00 and misappropriated it.

- The contention raised by private respondents that resolving the civil case was necessary before proceeding with the criminal case would create a loophole allowing defendants to indefinitely delay prosecution by filing civil actions contesting the elements of the crime.

Mandamus:

The Court concluded that the respondent judge erred in suspending the criminal proceedings. The action taken by the judge was perceived as a “grave abuse of discretion amounting to lack of jurisdiction.” Therefore, proceeding with the criminal case was warranted without waiting for the resolution of the civil case.

The Supreme Court ordered the CFI of Cavite to resume the trial of Criminal Case No. TM-235 without undue delay.

Doctrine

The Court reiterated that a prejudicial question must indeed be determinative of the criminal case and must be under the jurisdiction of another tribunal. The judgment emphasizes that merely filing a civil case does not automatically suspend criminal proceedings, particularly when the civil case does not have a bearing on the determination of the accused’s guilt or innocence in the criminal case.

Class Notes

- ****Prejudicial Question****: Defined as one which must be first resolved before the issues in a criminal case can proceed (Encyclopedia Juridical Española).
- ****Estafa (Swindling)****: Article 315 of the Revised Penal Code outlines estafa, including the element of misappropriating or converting money received in trust (Revised Penal Code, Article 315).
- ****Principles of Criminal and Civil Proceedings****: Civil actions do not automatically halt criminal proceedings unless there is a prejudicial question that ultimately determines criminal liability.

Historical Background

The case provides clear jurisprudence on the interplay between civil and criminal cases in the Philippine legal system, particularly in safeguarding against the potential abuse of procedural tactics to delay criminal accountability. It addresses the legal strategy often employed to contest the procedural propriety of criminal charges via civil litigation.