

**Title: Willy Tan y Chua v. People of the Philippines**

**Facts:**

- Initial Marriage (1979):** Willy Tan y Chua married Mildred Gococo-Tan on January 14, 1979.
- Second Marriage (1981):** During the subsistence of the first marriage, Tan contracted a second marriage with Estela G. Infante on November 28, 1981.
- Bigamy Charges:** Tan was charged with bigamy based on a complaint filed by his first wife, Mildred Gococo-Tan.
- Trial Court Decision (1996):** On December 12, 1996, the Regional Trial Court (RTC) of San Mateo, Rizal, Branch 75, found Tan guilty of bigamy and sentenced him to prision correccional in its medium period, ranging from two years, four months, and one day to four years and two months.
- Application for Probation:** Tan applied for probation on December 23, 1996, which the RTC granted on January 8, 1997. The release order, however, was withheld due to a prosecution motion questioning the penalty imposed.
- Procedural Controversy:** The prosecution filed a motion on January 21, 1997, to modify the penalty, arguing that the correct penalty under Article 349 of the Revised Penal Code is prision mayor, with a range of eight to ten years, making Tan ineligible for probation. The trial court initially denied this motion for being untimely but later reconsidered.
- Amended Decision (1998):** On July 10, 1998, the trial court, upon reconsideration, rendered an amended decision imposing an indeterminate sentence ranging from two years, four months, and one day to eight years and one day.
- Notice of Appeal:** Tan filed a notice of appeal on July 13, 1998, questioning the amended decision.
- Court of Appeals Decision:** On August 18, 2000, the Court of Appeals dismissed Tan's appeal for raising a pure question of law, holding that the Supreme Court has exclusive jurisdiction over such issues.
- Motion for Reconsideration:** Tan's motion for reconsideration was denied by the appellate court on May 18, 2001.

**Issues:**

- Jurisdiction of the Court of Appeals:** Whether the Court of Appeals erred in dismissing the appeal on the grounds that it raised a pure question of law, which is within the Supreme

Court's exclusive jurisdiction.

2. **Modification of Final Judgment:** Whether the trial court could validly amend its original decision to increase Tan's penalty after it had become final and executory.
3. **Procedural Correctness:** Whether Tan's method of appeal was appropriate (notice of appeal vs. petition for review on certiorari).

**Court's Decision:**

1. **Jurisdiction (Issue 1):** The Supreme Court ruled that the Court of Appeals erred in dismissing the appeal for lack of jurisdiction. Rule 122 of the Rules of Criminal Procedure allows an appeal by notice of appeal regardless of whether it involves a question of law or fact.
2. **Modification of Judgment (Issue 2):** The Supreme Court held that the trial court lacked jurisdiction to amend its decision after it had become final and executory. According to Section 7, Rule 120 of the Rules on Criminal Procedure and the Probation Law (P.D. 968), a judgment becomes final upon the filing of a probation application, thereby foreclosing the court's jurisdiction to alter the decision.
3. **Procedural Correctness (Issue 3):** The Court found that Tan's filing of a notice of appeal was an appropriate legal step, and his substantive right against double jeopardy was infringed by the trial court's subsequent amendment of the judgment.

**Doctrine:**

- **Finality of Judgment:** A trial court cannot modify or amend its final and executory judgment, except to correct clerical errors.
- **Probation Application Foreclosure:** The filing of an application for probation amounts to a waiver of the right to appeal and marks the finality of the judgment.
- **Double Jeopardy:** Increasing a penalty after a judgment has become final and executory constitutes double jeopardy, violating the constitutional protection against being tried for the same offense after acquittal or conviction.

**Class Notes:**

- **Bigamy (Article 349 of the Revised Penal Code):** Involves contracting a second marriage while the first marriage is still subsisting.
- **Prision Mayor and Prision Correccional:** The penalty ranges differ significantly, with prision mayor (6 years and one day to 12 years) being more severe than prision correccional.

- **Appeal Procedures in Criminal Cases (Rule 122):** Differentiates between notice of appeal and petition for review on certiorari, the latter being necessary for cases involving pure questions of law.
- **Finality of Judgment (Rule 120, Section 7):** Highlights when a judgment becomes final and the limits on a court's power to modify it after such finality.

**Historical Background:**

- The case reflects the procedural intricacies and jurisdictional complexities in the Philippine judicial system. It underscores the importance of finality in criminal judgments and the protections against double jeopardy enshrined in the Constitution. The decision also illustrates how the judiciary interprets procedural rules to safeguard substantive rights, emphasizing the proper channels and methods for legal recourse.