

**\*\*Title: Yusuke Fukuzume vs. People of the Philippines\*\***

**\*\*Facts:\*\***

1. In July 1991, businessman Javier Ng Yu, who was in the business of buying and selling aluminum scrap wires, was introduced to Yusuke Fukuzume by a friend who was a vice-president at Manila Electric Company. Fukuzume claimed to be from Furukawa Electric Corporation and to have access to aluminum scrap wires at National Power Corporation (NAPOCOR).

2. Yu agreed to buy the aluminum scrap wires from Fukuzume with an initial agreed purchase price of P200,000. From July to October 1991, Yu gave Fukuzume sums of money totaling P290,000 on separate occasions.

3. Fukuzume provided Yu with certifications dated December 17 and December 27, 1991, allegedly from NAPOCOR, validating the sale of scrap wires. In exchange for additional payments, Fukuzume issued checks totaling P134,000, which bounced due to a closed account.

4. On January 17, 1992, Fukuzume presented Yu with a letter purportedly authorizing the sale of aluminum wires from Furukawa's depots. When Yu attempted to retrieve the wires, NAPOCOR personnel did not recognize the documentation, deeming it spurious.

5. Yu demanded a refund, and upon failure by Fukuzume to do so, Yu lodged a complaint with the National Bureau of Investigation (NBI).

6. On November 4, 1994, information charging Fukuzume with estafa was filed at RTC Makati. Fukuzume pleaded not guilty during arraignment on February 28, 1995, leading to trial.

7. The RTC found Fukuzume guilty of estafa on October 21, 1996, sentencing him to 20 years imprisonment and mandating the return of P424,000 to Yu. Fukuzume appealed to the Court of Appeals (CA), which affirmed with modifications on March 13, 2000. Fukuzume filed a petition with the Supreme Court.

**\*\*Issues:\*\***

1. Did the RTC of Makati have jurisdiction to try the case?
2. Was there substantive evidence to show that the alleged false representations were made before or simultaneously with the commission of fraud?

3. Did the original transaction between Fukuzume and Yu convert into a mere debtor-creditor relationship, thus negating criminal liability?

**Court's Decision:**

1. **Jurisdiction Issue:** The Supreme Court focused primarily on the jurisdictional question, concluding that no element of the crime was proven to have occurred in Makati, thus invalidating the jurisdiction of the Makati RTC. The court cited the necessity that at least one essential ingredient of the offense take place within the court's territorial jurisdiction.

2. **False Pretense Timing:** The court did not delve into this issue as the resolution of the jurisdiction question negated the need to examine the substantive aspects of the crime in detail within the present appeal.

3. **Debtor-Creditor Relationship:** Similarly, this substantive examination was rendered moot based on the jurisdictional finding.

The Supreme Court set aside the CA's decision due to the jurisdiction issue, dismissing the criminal case without prejudice, allowing for refiling in a proper jurisdiction.

**Doctrine:**

The decision reinforced the doctrine that for jurisdiction to be properly established in criminal cases, the offense must occur or at least some parts of it must be committed within the territorial jurisdiction of the adjudicating court. Venue is a pivotal element in the jurisdiction, and courts cannot overlook this requirement even if not raised promptly.

**Class Notes:**

- Essential Elements of Estafa (Art. 315, RPC): False pretense, acts made prior/simultaneously with fraud, reliance by the offended party, and resultant damage.
- Jurisdiction in Criminal Law: Venue is crucial for jurisdiction; essential elements of the crime must be within the court's territorial bounds (General Principles of Jurisdiction).
- Venue Change Implication: Jurisdictional defenses can be raised anytime, not waived, affecting the entire case proceedings.

**Historical Background:**

The case arose during a period of economic activity in the Philippines marked by substantial industrial engagement, i.e., scrap metal trading. It underscores the intersection of business transactions with criminal liability, highlighting the legal requirements of jurisdiction amidst

evolving business practices. This decision ensured forensic processes align with jurisdictional mandates, even against a backdrop of economic exchanges.