

**\*\*Title:\*\*** \*John Philip Guevarra vs. Honorable Ignacio Almodovar\*

**\*\*Facts:\*\*** John Philip Guevarra, an 11-year-old, was involved in a tragic accident on 29 October 1984 when playing with his friends, including Teodoro Almine, Jr. They were shooting at a bottle cap with an air rifle; during the course of their game, Teodoro was accidentally hit by a pellet and fatally wounded. Following a preliminary investigation, the local Fiscal initially exonerated Guevarra due to his minor age and accidental aspect of the occurrence. However, upon appeal by the victim's parents, the Ministry of Justice ordered that a case for Homicide through Reckless Imprudence be filed against Guevarra.

Guevarra, through his motion to quash, challenged the information on the grounds that it did not constitute an offense, contained averments that would justify legal excuse, and that the court lacked jurisdiction over both the offense and the defendant. This motion was partially denied, leading to Guevarra filing a petition for certiorari with the Supreme Court, raising issues on the chargeability of minors with the crime of Homicide through Reckless Imprudence, and the jurisdictional requirements regarding preliminary barangay conciliation proceedings.

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

1. Whether an eleven-year-old minor can be charged with Homicide through Reckless Imprudence.
2. The necessity of barangay conciliation proceedings under PD 1508 for jurisdictional competence of the court over the case.

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

1. **\*\*On the chargeability of minors with Homicide through Reckless Imprudence:\*\*** The court clarified the distinct concepts of "intent" and "discernment." While intent relates to the purpose behind an act, discernment involves understanding its rightness or wrongness. The Supreme Court concluded that a minor above nine years of age but below fifteen could be charged with Homicide through Reckless Imprudence if they acted with discernment—acknowledging the potential harm of their actions.
2. **\*\*On the necessity of barangay conciliation proceedings:\*\*** The court ruled that the jurisdiction of a court over a criminal case is determined by the penalty prescribed by law for the offense charged, not by the penalty potentially applicable to the defendant after considering mitigating circumstances like minority. The court held that failure to undergo barangay conciliation proceedings under PD 1508 does not affect the jurisdiction of the court over the criminal case.

**\*\*Doctrine:\*\*** The decision clarified the legal principles concerning the responsibility of minors for their actions, distinguishing between “intent” and “discernment” under Philippine criminal law. It also reaffirmed that the jurisdiction over criminal cases is determined by the penalty prescribed by law for the offense, not by post-mitigating circumstances.

**\*\*Class Notes:\*\***

- **\*\*Intent vs. Discernment in Minors:\*\*** Intent involves a purpose to perform an act with awareness of its effects, whereas discernment refers to the ability to understand the moral significance of the act, essential in determining the liability of minors aged 9 to 15 years.
- **\*\*Jurisdictional Rule:\*\*** Jurisdiction over a criminal case is determined by the statutory penalty for the offense, irrespective of mitigating circumstances that might later reduce the penalty imposed on the offender.
- **\*\*PD 1508 and Jurisdiction:\*\*** Non-compliance with barangay conciliation proceedings does not deprive the court of jurisdiction over criminal cases; jurisdiction is anchored on the prescribed penalty for the offense charged.

**\*\*Historical Background:\*\*** This case reflects the evolving legal interpretations concerning the criminal responsibility of minors within the Philippine legal context, balancing between recognizing their limited capacity to appreciate the consequences of their actions and the need for accountability in acts resulting in harm to others. It also showcases the procedural aspect of jurisdiction and pre-trial requirements in local judicial processes.