

****Title****

Larry V. Caminos, Jr. vs. People of the Philippines, 605 Phil. 422 (2009)

****Facts****

****1. Incident Overview:****

On the night of June 21, 1988, at 7:45 p.m., a vehicular collision occurred at the intersection of Ortigas Avenue and Columbia Street in Mandaluyong City, involving a Mitsubishi Super Saloon driven by petitioner Larry V. Caminos, Jr. and a Volkswagen Karmann Ghia driven by Arnold Litonjua (Arnold).

****2. Petitioner's Actions:****

Larry Caminos was traversing Ortigas Avenue towards San Juan.

****3. Offended Party's Actions:****

Arnold Litonjua was also traversing Ortigas Avenue but in the opposite direction, towards Epifanio Delos Santos Avenue. He attempted to make a left turn at the intersection when Caminos' vehicle collided with his car.

****4. Collision Details:****

The impact from Caminos' vehicle, which was on the right-hand side of Arnold's car, caused significant damage and caused Arnold's car to be displaced several feet, spinning 180 degrees and landing on the outer lane of Ortigas Avenue.

****5. Post-Collision Actions:****

Arnold immediately called Patrolman Ernesto Santos, a traffic investigator from the Mandaluyong Police Force, who conducted an investigation and made a sketch of the incident.

****6. Investigation Report:****

The Traffic Accident Investigation Report (TAIR) indicated Arnold's vehicle had no right of way and was making a left turn while Caminos' vehicle was "going straight" and "exceeding the lawful speed." It also noted that the view was obstructed by the center island flower bed.

****Procedural Posture:****

1. ****Regional Trial Court (RTC) Proceedings:****

- Charge: Caminos was charged with reckless imprudence resulting in damage to property.

- Defense: Caminos pleaded not guilty.
- Evidence Presented: Both parties and Patrolman Santos provided testimonies. Evidence included post-accident sketches, TAIR, and repair estimates.
- Decision (September 18, 1992): Caminos was found guilty. The court ordered him to pay P139,294.00 in civil indemnity and imposed a fine of the same amount.

2. **Court of Appeals Proceedings:**

- Appeal: Caminos appealed the RTC decision.
- Decision (February 28, 1995): The Court of Appeals upheld the RTC's conviction but reduced the civil indemnity, acknowledging contributory negligence from Arnold Litonjua.

3. **Supreme Court Proceedings:**

- Petition for Review: Caminos sought acquittal from the Supreme Court, asserting that Arnold's negligence was the principal cause of the mishap.
- Solicitor General's Comments: Supported the conviction, noted Caminos' negligence as the proximate cause, and suggested a reduction in both fine and civil indemnity.

Issues

1. **Whether Caminos was guilty of reckless imprudence resulting in damage to property.**
2. **Whether Arnold Litonjua's contributory negligence should affect Caminos' liability for damages.**
3. **Whether the principle of last clear chance was improperly applied.**
4. **Whether the amount of civil indemnity awarded was justifiable.**

Court's Decision

1. Reckless Imprudence:

- The Supreme Court found Caminos guilty beyond a reasonable doubt. His speeding in excess of lawful limits demonstrated reckless imprudence. The physical evidence suggested a forceful collision consistent with high speed.

2. Contributory Negligence:

- While the appellate court noted contributory negligence by Arnold, this did not exonerate Caminos but mitigated the civil damages awarded. The Court emphasized that concurrent negligence does not absolve an offender of liability.

3. Last Clear Chance Doctrine:

- The Supreme Court held that the principle of last clear chance was not misapplied. Caminos' failure to notice Arnold's vehicle entering the intersection and his excessive speed were deemed reckless, irrespective of Arnold's maneuver.

****4. Civil Indemnity:****

- The Court affirmed the RTC finding that Caminos' vehicle speed and lack of precaution were the proximate causes of the collision. The evidence supporting the costs of repair was deemed sufficient, thus upholding the indemnity award.

****Doctrine****

1. ****Reckless Imprudence:****

- Reckless imprudence is characterized by the voluntary and without malice commission of acts resulting in damage due to inexcusable lack of precaution.
- A motorist is expected to drive with due care, especially when approaching intersections.

2. ****Contributory Negligence:****

- Contributory negligence of the victim does not constitute a defense in criminal cases but may reduce the amount of civil indemnity.
- The right of way rules under traffic laws are not absolute and must be understood in conjunction with the duty to yield and exercise prudence under specific circumstances.

****Class Notes****

1. ****Elements of Reckless Imprudence (According to Philippine Jurisprudence):****

- Voluntary act or omission without malice.
- Lack of precaution amounting to negligence.
- Resulting in damage to property or injury.

2. ****Principles from Traffic Law:****

- The right of way implies precedence in lawful driving and requires prudent behavior on intersections.
- The duty to drive at a reasonable speed, which translates to having control over the vehicle and avoiding foreseeable harm.

3. ****Statutory Provisions (R.A. No. 4136, Sec. 35 & Sec. 42):****

- Restriction as to speed mandates driving at a safe speed relevant to road conditions.
- Right of way requirement places a higher duty on drivers at intersections to avoid

collisions.

****Historical Background****

This case highlights the strict standards of duty imposed on motorists in the Philippines and the consistent application of the doctrines of reckless imprudence and contributory negligence. The decision reinforces the requirement for drivers to exercise heightened caution, particularly at intersections, and underscores the legal principle that even minor contributory negligence by one party does not absolve the main negligent party from liability.