

ESTRELLA C.CONOL, PETITIONER, VS. PEOPLE OF THE PHILIPPINES, RESPONDENT.

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BORJA, J.,:

This is a motion[1] of petitioner seeking reconsideration of this Court’s Decision,[2] promulgated on August 27, 2013, which dismissed the appeal and affirmed the lower court’s judgment in toto.

Movants assail this Court’s decision on the ground that petitioner had been threatened by private complainant to issue the check, hence in effect “petitioner had only been rendered a mechanical tool which was being directed at will by its operator”.[3]

The Court reiterates its previous ruling, that-

xxx [T]he act of making or issuing a worthless check or a check that is dishonored upon presentment for payment constitutes a violation of B.P. 22. The statute effectively declares the offense to be one of *malum prohibitum*. The only query, then is whether the law has been breached.[4]

The grounds or reason for the issuance of the check is irrelevant in determining culpability. The terms and conditions surrounding the issuance of the checks are also irrelevant.[5]

ACCORDINGLY, the instant motion for reconsideration is hereby DENIED.

SO ORDERED.

Badelles and Contreras, JJ., concur.

[1] Rollo, pp. 140-143.

[2] Rollo, pp. 126-135.

[3] Rollo, pp. 140-142.

[4] Rollo, pp. 140-142.

[5] Emma Nuguid v. Clarita Nicdao, G.R. No. 150785, September 15, 2006.

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