

MAXIMO UBAS, COMPLAINANT, VS. MUNICIPAL JUDGE BENITO P. CINCO OF MARGOSATUBIG, ZAMBOANGA DEL SUR, RESPONDENT.*A.M. No. 242-MJ. June 19, 1979*

Ponente: FERNANDO, Actg. C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-242/>

FERNANDO, Actg. C.J.:

Ever so often, the actuation of a judge would be stigmatized as violative of a litigant's rights, resulting in an administrative complaint for abuse of authority and, possibly, to impress this Tribunal with the gravity of his failing, add, for good measure, ignorance of the law. So it was alleged in this case by a certain Maximo Ubas, complainant, with Municipal Judge Benito P. Cinco of Margosatubig, Zamboanga del Sur, as respondent.

The matter was referred to Executive Judge Melquiades S. Sucaldito for investigation. He set forth the nature of the case thus: "This is a complaint for abuse of authority and ignorance of the law filed by complainant Maximo Ubas against respondent Benito P. Cinco, Municipal Judge of Margosatubig, Zamboanga del Sur. Complainant alleges that the respondent, with abuse of authority, terminated a criminal case two days before the day set for trial and likewise rendered a decision thereon in excess of his authority as the offense charged is cognizable by the Court of First Instance. That as an offended party, complainant further alleged that he was deprived of his right to aid the prosecution by the premature termination of the case by the respondent. The respondent in his answer denied the material allegations of the complaint, alleging among others, that a case of Double Physical Injuries was filed by the Chief of Police and not that of Frustrated Homicide, thus his Court has the juris-diction to try and decide the same; and that the accused, while being already detained, asked for immediate trial, and after arraignment, pleaded guilty to the crime charged and thereafter was sentenced accordingly." [1] According to Judge Sucaldito, the records showed that the complaint against a certain Benjamin Manginsay was for double physical injuries filed by the Chief of Police in the sala of respondent Judge. Thereafter, the aforesaid accused appeared before the municipal court demanding immediate trial of the case, and upon arraignment, pleaded guilty to the crime charged. Respondent Judge, thereafter, rendered a decision sentencing the accused. It was further stated in such report that there was thereafter executed by complainant an affidavit acknowledging that there was justification for the action taken by respondent Judge upon a voluntary plea of guilty being entered by the accused. When the administrative case was called for investigation by Judge Sucaldito, "both complainant and respondent appeared. The respondent, under oath in open court, affirmed all the allegations contained in his affidavit." [2]

He summarized his findings thus: "From the facts and circumstances of the case, the undersigned finds that the respondent acted within his competence and authority in accepting a complaint, for Double Physical Injuries, and in sentencing the accused who entered a plea of guilty thereon, thereby terminating the case." [3] Necessarily, his recommendation was for "the dismissal of this administrative case and the exoneration of the respondent." [4] The then Acting Judicial Consultant of this Court, retired Justice Manuel P. Barcelona, endorsed the aforesaid recommendation for exoneration.

No other outcome can be justified. The complaints submitted to him indicated that the offenses at the most

amounted to physical injuries. A case for frustrated homicide would not lie. When the accused, therefore, pleaded guilty upon arraignment, he was within his rights, speedy trial being one of the prized guarantees under the Constitution.[5] There was nothing left for respondent Judge then but to render judgment, which he did in accordance with the law on the subject. It is understandable likewise for complainant to feel doubly aggrieved as for him the penalty was disproportionate to the crime. The administrative complaint, therefore, must have resulted from such disappointment, not to say frustration. When he withdrew his complaint, it must have been a realization, when he was in a less agitated state of mind, that the Judge had no choice on the matter. He had to follow the law.

WHEREFORE, this administrative complaint is dismissed. Let a copy of this resolution be entered on the record of respondent Judge.

Antonio, (Acting Chairman), Aquino, Santos, and Abad Santos, JJ., concur.
Barredo and Concepcion, Jr., JJ., on leave.

[1] Report and Recommendation of Executive Judge Melquiades S. Sucaldito, 1.

[2] Ibid, 2.

[3] Ibid.

[4] Ibid.

[5] Article IV, Section 19, insofar as pertinent reads: "In all criminal prosecutions, the accused * * * shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial and public trial."

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.