

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ELENA C. DESTUA, ACCUSED-APPELLANT.

Ponente: FRANCISCO, J.

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FRANCISCO, J.:

This resolves the Urgent[1] Motion to Resolve Urgent Motion (to Admit Bail and for Reduction of Bond) filed by the accused-appellant through counsel.

In the Urgent Motion to Resolve Urgent Motion, it is alleged that the accused-appellant is already more than 80 years of age and is in deteriorating state both physically and psychologically due to advanced state of tuberculosis.

The Manifestation[2] and Motion of the People through the Office of the Solicitor General is NOTED.

In the light of the physical and psychological condition of the accused-appellant being in the twilight of her years as an octogenarian afflicted with tuberculosis and taking account the nature of the crime she was convicted of which is violation of Section 22 (a) in relation to Section 28 (e) of RA No. 1161 (SSS LAW), this Court is inclined to GRANT the motion to post bail, it appearing that accused-appellant is detained at Zamboanga City Jail, BJMP, after she was arrested on January 8, 2014.

It is likewise alleged that the failure of the accused-appellant to post bond was brought about by the defalcation of the money that was to be used as the surety bond in the amount of P12,000.00 which was absconded by a certain Reynaldo Bayona who purportedly represented CAP General Insurance Corporation.

In light of the foregoing, this Court hereby GRANTS the motion of the accused-appellant to post bail in the amount of P24,000.00 in cash, not in the amount of P18,000.00 moved by the accused-appellant, with the Regional Trial Court, Branch 12, Zamboanga City.

The Appellant's Brief[3] and Appellee's Brief[4] having been filed, let the instant case be considered SUBMITTED FOR DECISION.

SO ORDERED.

Borja, J., Ch., and Badelles, JJ., concur.

[1] Rollo, pp. 103, 106

[2] Rollo, p. 111

[3] Rollo, p. 16

[4] Rollo, p. 45

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