

GERONIMO E. CAPARAS, PETITIONER AND APPELLEE, VS. DOMINGO C. GONZALES AND SANTIAGO L. LINDAYAG, AS CHIEF OF POLICE AND JUSTICE OF THE PEACE, RESPECTIVELY OF GUIGUINTO, BULACAN, ...

G.R. No. L-18515. January 31, 1963

Ponente: LABRADOR, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/f3f4fdef0644/>

LABRADOR, J.:

This is an appeal on certiorari from an order dated March 15, 1961 of the Court of First Instance of Bulacan, the Hon. Agustin P. Montesa, presiding, ruling that the amended complaint in Criminal Case No. 554 of the Justice of the Peace Court of Guiguinto, Bulacan, as well as the order of the said court admitting the said amended complaint, are null and void and are of no legal force and effect.

On September 20, 1960, respondent Domingo C. Gonzales, Chief of Police of Guiguinto, Bulacan, filed a complaint before the Justice of the Peace Court of said municipality, charging Geronimo E. Caparas, the petitioner-appellee herein, with the crime of serious physical injuries thru reckless imprudence. The complaint reads as follows:

"The undersigned Chief of Police, after having been duly sworn to in accordance with law accuses Geronimo E. Caparas of the crime of Serious Physical Injuries thru Reckless Imprudence, committed as follows:

"That on or about the 29th day of August 1960 * * * the above-named accused then as driver and person in charge of Luzon Bus Line bearing plate number TPU-5457 (Manila) while passing along Highway No. 3 of this municipality, willfully, unlawfully and feloniously managed and operated his bus in a negligent careless and imprudent manner * * * while said passenger Ho Mo was standing on its running board the conductor of the said bus knocked to the side of the bus and the driver move faster thus causing passenger Ho Mo to fall from the said bus and was sandwiched by its rear wheel thus causing to him serious physical injury."

The trial started with the presentation of Dr. N. Guzman as the first witness for the prosecution. Counsel for the defense objected to the presentation of the witness on the ground that his testimony regarding the treatment of the offended party would be immaterial and irrelevant since there is no allegation in the complaint that the injury which the offended party sustained required or will require medical attendance. The trial was postponed and counsel for the accused was required by respondent Justice of the Peace to submit his written objections to the admission of the testimony of Dr. N. Guzman.

On December 18, 1960, counsel for the accused submitted his written objection claiming mainly that there is no allegation of medical attendance on the offended party. It was argued that the phrase appearing in the questioned complaint—"thus causing to him serious physical injury" does not imply the presence of medical attendance, because even the Revised Penal Code recognizes the existence of physical injuries that require no medical attendance, citing Art. 236 of the Revised Penal Code. It was claimed that at most, the crime being charged is slight physical injuries through reckless imprudence, and hence, to allow the testimony of Dr. Guzman would

substantially affect the right of the accused, for the prosecution will be proving a crime far more grievous than the actually pleaded.

On January 6, 1961, the trial of the case was resumed the respondent Justice of the Peace Court overruled the objections to the admission of the testimony of Dr. Guzman. Thereafter, the prosecution filed a motion for leave to amend its complaint. Over the objections of counsel for the accused, the justice of the peace court granted the motion. The amendment consisted in a specification of the allegation of serious physical injuries, thus:

"1. Spinal concussion

2. Massive Hematoma whole back from level of third lumbar down to buttocks and from both hips down to middle of thighs

3. Ruptured urinary bladder with hemorrhage

4. Shock, dec., which injuries will require medical attendance for a period of 2-3 months and will incapacitate the said Ho Mo from the performance of his customary labor for the same period of time."

A motion for the reconsideration of the ruling of said respondent judge was denied and the same respondent ordered the trial to proceed and admitted evidence for the prosecution.

On January 9, counsel for the accused asked that the hearing of the case be held in abeyance, pending resolution of a contemplated Petition for a Writ of Certiorari which the accused would file before the Court of First Instance of Bulacan. In the petition for a writ of certiorari it is claimed that the amended complaint contains new matters of substance not alleged in the original complaint; that the admission of said complaint would prejudice the rights of the accused and is contrary to the provisions of Sec. 13, Rule 106 of the Rules of Court; that the trial of the case under such amended complaint would deprive accused of his right under the Constitution to be informed of the nature and cause of the accusation against him.

Respondents argued that the allegations in the amended complaint, which are claimed to be substantial in nature, refer to matters of form and are not prejudicial to the rights of the defendant; that on the contrary, it will enable the defendant to prepare his defense properly, that the questioned allegations are details which may properly be considered as specifications or bills of particulars and cannot prejudice the interests of the defendants as they do not in any way alter the nature; of the crime charged in the original complaint; that the submission of a bill of particulars is allowed in criminal cases; that even prior to the amendment in question, petitioner could be convicted of serious physical injuries under the original complaint; that the original complaint as well as the amended complaint charged the accused with one and the same crime, and that is serious physical injuries.

The trial court issued the order now being appealed from, finding and concluding that the amendment in question does not refer to a mere matter of form, but to a matter of substance and affects and prejudices the rights of the accused; that it is true that the original complaint is based on an allegation that the offended party sustained a serious physical injury but there are, however, several cases of serious physical injuries and this complaint does not state under which form the accused is charged; and that the vagueness of the complaint was such that the accused could have been convicted only of physical injuries that required no medical attendance or prevented offended party from engaging in his customary labor; that therefore any attempt to amend the complaint in order to make it appear that the injuries sustained by the offended party were of such a nature as to fall under the most serious physical injuries would prejudice the rights of the accused herein; that when the accused herein entered a plea of not guilty to the original charge, the issue was joined whether the crime committed was serious physical injuries although the same did not require medical attendance nor incapacitate him for labor; that lie prepared his evidence in accordance with that theory and allegations regarding medical attendance and the incapacity from

labor would upset his theory and would be most unfair and unjust to him.

Respondents-Appellants in their brief, assigned the following errors:

I

THE TRIAL COURT ERRED IN HOLDING THAT THE AMENDMENT IN QUESTION. IN THIS CASE DOES NOT REFER TO A MERE MATTER OF FORM BUT IS A MATTER OF SUBSTANCE.

II

THE TRIAL COURT ERRED IN HOLDING THAT UNDER THE ORIGINAL COMPLAINT THE ACCUSED COULD HAVE BEEN CONVICTED ONLY OF PHYSICAL INJURIES THAT REQUIRED NO MEDICAL ATTENDANCE OR PREVENTED THE OFFENDED PARTY FROM ENGAGING IN HIS CUSTOMARY LABOR.

III

THE TRIAL COURT ERRED IN HOLDING THAT THE AMENDMENT TO INCLUDE ALLEGATIONS REGARDING MEDICAL ATTENDANCE AND INCAPACITY FROM LABOR WOULD PREJUDICE THE RIGHTS OF THE ACCUSED, UPSET HIS THEORY AND WOULD BE MOST UNFAIR AND UNJUST TO HIM.

IV

THE TRIAL COURT ERRED IN FINDING THE INSTANT PETITION FOR CERTIORARI TO BE WELL FOUNDED AND IN DECLARING THE AMENDED COMPLAINT AND THE ORDER ADMITTING THE SAME NULL AND VOID OF NO LEGAL FORCE AND EFFECT.

The appeal must be sustained. The amendment neither changed the offense nor introduced new material facts different from those alleged in the original complaint. By the amendment a general statement (that offended party suffered a serious physical injury) was made more specific by the introduction of details and particulars, this the better to inform the accused of the facts and give him opportunity to deny them or meet them with his evidence. These details or particulars could have been admissible at the trial, even without the amendment.

The term grave physical injury has a well defined meaning either in law or even in common parlance. A wound is an injury; hence any evidence leading to prove the nature of wound received, by the very person who healed, (the physician) falls under the term grave physical injury. The amendment, which specifies the wounds and injuries, does not change the facts, or the offense, or the gravity thereof. Hence no prejudice is caused by the amendment to the accused; it is more for his benefit than anything else because he has time to prepare the evidence to contradict the details alleged.

The order of the court below reversing the order of the justice of the peace allowing the amendment of the complaint is therefore reversed and the case is remanded to the justice of the peace court for the continuation of the proceedings in accordance herewith. Without costs.

Bengzon, C. J., Padilla, Bautista Angelo, Conception, Reyes, J. B. L., Barrera, Paredes, Dizon, Regala and Makalintal, JJ., concur.

Order reversed, case remanded to the lower court.

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.