

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLANT, VS. MAXIMA ORPILLA-MOLINA, ET AL., DEFENDANTS AND APPELLEES.*G.R. No. 12703. March 25, 1959*

Ponente: BENGZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-12703/>**BENGZON, J.:**

Before the court of first instance of Cagayan, the defendants Maxima Orpilla-Molina, et al., were charged with having committed indirect contempt of the justice of the peace court of Alcala, Cagayan, because they unlawfully re-entered the land from which they had been previously ejected by the sheriff in virtue of a final decision of said inferior court.

They raised the question of jurisdiction, pointing out that the punishment provided for such contempt in section 6 of the Rules of Court was a fine not exceeding P100 or imprisonment for not more than one month or both. Such penalty, they contended, fell beyond the original jurisdiction of courts of first instance.

Over the fiscal's objection, the court sustained defendants' contention and dismissed the complaint in its order of June 29, 1957.

Hence, this appeal, which we find to be meritorious. Although Republic Act 296 assigned to the justice of the peace courts all criminal offenses penalized with imprisonment for not more than six months or a fine not exceeding P200 or both, this case must be deemed not included in such assignment because under section 4 of Rule 64, proceedings for contempt committed against a justice of the peace court "may be instituted" either in the court of first instance or in such justice of the peace court.

Rule 64 is as much a law as Republic Act 296; and both should be construed and upheld together, if possible, by making the former an exception to the latter. Repeals are not favored, the authorities agree. Besides, this contempt constituted at bottom a civil contempt, as distinguished from a criminal one.[1] True, the proceeding is penal in nature as we have heretofore held,[2]; yet it would seem reasonable, considering their true purpose,[3] not to classify civil contempts among those ordinary criminal cases allotted to inferior courts by the Judiciary Act of 1948. Upon further reflection it will be noted, in line with the Solicitor General's observation, that adoption of appellees' viewpoint would result in depriving courts of first instance of jurisdiction to punish direct contempts[4] against them, and of disabling them effectively to enforce their orders with the consequent loss of their inherent right of self-preservation, and their power to compel obedience to their commands.[5]

Accordingly, the appealed order is hereby reversed and the record remanded to the court below for further proceedings. Costs against appellees.

Paras, C. J., Padilla, Montemayor, Reyes, A., Bautista Angelo, Labrador, Reyes, J. B. L., and Endencia, JJ., concur.

[1] Phil. Railway Co. vs. Judge of Iloilo, G. R. No. 44983, Moran, Rules of Court (1957 Ed.) 121.

[2] Villanueva vs. Lim, 69 Phil., 654; Pajao vs. Provincial Board, 88 Phil., 588.

[3] To benefit the adverse party. Phil. Railway, *supra*.

[4] Fine of ₱200 or 10-day imprisonment or both. (Sec. 1, Rule 64)

[5] Sec. 5, Rule 124.

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.