

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLANT, VS. DIONISIO A. MANEJA, DEFENDANT AND APPELLEE.*G.R. No. 47684. June 10, 1941*

Ponente: MORAN, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-47684/>**MORAN, J.:**

The sole question raised in this appeal is whether the period of prescription for the offense of false testimony which, in the instant case, is five years (art. 180, No. 4, in relation to art. 90, Revised Penal Code), should commence from the time the appellee, Dionisio A. Maneja, adduced the supposed false testimony in criminal case No. 1872 on December 16, 1933, as the lower court held, or, from the time the decision of the Court of Appeals in the aforesaid basic case became final in December, 1938, as the prosecution contends.

We hold that the theory of the prosecution is the correct one. The period of prescription shall commence to run from the day on which the crime is discovered by the offended party, the authorities or their agents. (Art. 91, Revised Penal Code.) With regard to the crime of false testimony, considering that the penalties provided therefor in article 180 of the Revised Penal Code are, in every case, made to depend upon the conviction or acquittal of the defendant in the principal case, the act of testifying falsely does not therefore constitute an actionable offense until the principal case is finally decided. (Cf. *U. S. vs. Opinion*, 6 Phil., 662, 663; *People vs. Marcos et al.*, G. R. No. 47388, Oct. 22, 1940.) And before an act becomes a punishable offense, it cannot possibly be discovered as such by the offended party, the authorities or their agents.

If the period of prescription is to be computed from the date the supposed false testimony is given, it would be impossible to determine the length of such period in any particular case, depending, as it does depend, on the final outcome of the basic case. For instance, a witness testifies falsely against an accused who is charged with murder. If the accused is found guilty, the penalty prescribed by law for the perjurer is reclusion temporal (art. 180, No. 1, Revised Penal Code), in which case the period of prescription is twenty years (art. 90, *idem*). On the other hand, if the accused is acquitted, the penalty prescribed for the perjurer is only *arresto mayor* (art. 180, No. 4, *idem*), in which case the period of prescription is only five years. Upon these hypotheses, if the perjurer is to be prosecuted before final judgment in the basic case, it would be impossible to determine the period of prescription—whether twenty years or five years—as either of these two periods is fixed by law on the basis of conviction or acquittal of the defendant in the main case.

The mere fact that, in the present case, the penalty for the offense of false testimony is the same, whether the defendant in criminal case No. 1872 were convicted or acquitted, is of no moment, it being a matter of pure co-incidence. The four cases enumerated in article 180. of the Revised Penal Code—and the instant case falls on one of them—uniformly presuppose a final judgment of conviction or acquittal in the basic case as a prerequisite to the actionability of the crime of false testimony.

Order of dismissal is reversed, and let the case be remanded to the court of origin for further proceedings, without costs.

Avanceña, C. J., Diaz, Laurel, and Horrilleno, JJ., concur.

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.