

[ADMINISTRATIVE ORDER NO. 198, May 14, 1956]

REMOVING CAPT. ROMEO MAGHIRANG FROM OFFICE AS CHIEF OF POLICE OF THE CITY OF SAN PABLO.

This is an administrative case against Capt. Romeo Maghirang, chief of police of the City of San Pablo, who is charged with (1) maltreatment of Sgt. Isidro Batralo of the San Pablo City police force; (2) maladministration of the city jail resulting in the escape of three detention prisoners; and (3) grave neglect of duty in connection with the release and escape of Alfredo Azurin, accused of attempted rape and frustrated homicide.

No evidence having been presented to substantiate the first and second charges, the same are hereby dismissed.

With respect to the last charge, the evidence discloses that in the night of November 21, 1954, at about 10:30 o'clock, two sisters named Conchita and Minerva Guinto while walking down Mabini Street, San Pablo City, from a beauty parlor, were waylaid by two unknown persons who attempted to abuse them. One person held Conchita covering her mouth in an attempt to prevent her from shouting for assistance. Her sister Minerva who came to her rescue, was stabbed on her breast. At this juncture, Conchita was able to scream for help.

The assailant fled but he was recognized by Conchita to be "Fred" later identified as Alfredo Azurin.

Shortly thereafter, the respondent, Chief of Police Maghirang, came to know of the incident. He immediately issued instructions for the apprehension of the assailant. At about past midnight of the same day, Alfredo Azurin was apprehended and brought in for questioning. In a signed statement, he admitted having stabbed Minerva but claimed he did not know what he was doing as he was drunk.

In the morning of November 22, 1954, the written declarations of Alfredo Azurin, Conchita and Minerva were sworn to before the respondent. Instead of forwarding immediately the sworn statements or record of investigation to the City Attorney, the respondent took no further action thereon until requested by the former on November 24, and again on November 26, 1954, when the said papers were finally forwarded to the said official.

In the meantime, the respondent ordered the release of Alfredo Azurin in the morning of November 22, 1954, six hours after his apprehension by the police, notwithstanding the fact that the respondent had then in his possession the sworn statements aforementioned, which were sufficient to establish a prima facie case against Azurin. In fact, the city attorney immediately upon receipt thereof on November 26, 1954, filed two informations in the court charging Azurin with frustrated homicide and attempted rape. However, the warrant issued by the court