

[ADMINISTRATIVE ORDER NO. 118, January 25, 1940]

DISMISSING JUSTICE OF THE PEACE DEOGRACIAS BUNYI OF MANDALUYONG, RIZAL

This is an administrative case against Deogracias Bunyi, Justice of the Peace of Mandaluyong, Rizal, who is charged by Atty. Jose Topacio Nueno with; (1) bribery; (2) maliciously issuing a search warrant; (3) maliciously delaying the approval of bonds; and (4) grave abuse of authority.

No evidence was submitted in support of the charge of bribery but the remaining charges were sufficiently proven during the investigation. It appears that on August 3, 1939, one Benjamin Raymundo and a municipal policeman executed affidavits before the respondent stating that they knew that Eugenio Raymundo and Maria Torres, wife of Benjamin Raymundo, were having illicit intercourse in the latter's house at Mandaluyong. On the strength of these affidavits, he issued on the same day what he denominated as a "search warrant" but which in reality was an order for the arrest of Maria Torres and her alleged paramour. Accordingly, Maria and Eugenio were arrested at five o'clock in the morning of August 5, 1939 and brought to the municipal building. Between nine and ten o'clock that morning, the complainant, who was engaged as counsel for Maria Torres, arrived at the municipal building to bail her out, but the respondent told the complainant that no complaint had yet been filed and forthwith left the municipal building. When the complainant returned with Maria's father, Jose Torres, at eleven o'clock that same morning, the respondent again refused to approve the bond for the release of the accused alleging that he held office only in the afternoon, and even went to the extent of ordering the arrest of the complainant for allegedly slandering him. The respondent also refused to accept the bond in the afternoon inasmuch as, according to him he had already authorized the Justice of the Peace of Pasig or any other Justice of the Peace or Judge of First Instance to accept it. As a result, Maria Torres was illegally detained in jail until noon of August 7, 1939, when the respondent finally decided to approve her bond upon learning that the present complaint had been filed against him.

The issuance of the order for the arrest of Maria Torres and Eugenio Raymundo was not only irregular but highly unwarranted as there was no complaint filed against them before the respondent. The respondent himself frankly admitted that he issued the order just to help Benjamin Raymundo secure evidence against his wife, Maria Torres, and her supposed paramour. The respondent's behavior in delaying the approval of the bond of Maria Torres may be attributed to no other reason than that in an administrative case filed against him by the herein complainant in behalf of one Beatriz Claudio, Maria's father was one of the witnesses against him. In another case the respondent also delayed the approval of the appeal bond filed by one Egmidio Crespo because the latter had previously filed an administrative complaint against him for partiality.