

## SECOND DIVISION

**[ G.R. No. 199208, July 30, 2014 ]**

**PEOPLE OF THE PHILIPPINES, APPELLEE, VS. TRINIDAD A. CAHILIG, APPELLANT.**

### D E C I S I O N

**CARPIO, J.:**

#### The Case

Before the Court is an appeal by Trinidad A. Cahilig (Cahilig) from the Decision of the Court of Appeals (CA) in CA-G.R. CR-H.C. No. 01381 affirming the Decision of the Regional Trial Court (RTC), Branch 137, Makati City in Criminal Case Nos. 03-2178 to 2207 finding her guilty of thirty (30) counts of Qualified Theft.

#### The Facts

Cahilig worked as cashier at Wyeth Philippines Employees Savings and Loan Association, Inc. (WPESLAI) from December 1992 until 7 November 2001. She was tasked with handling, managing, receiving, and disbursing the funds of the WPESLAI.<sup>[1]</sup>

It was discovered that from 31 May 2000 to 31 July 2001, Cahilig made withdrawals from the funds of WPESLAI and appropriated the same for her personal benefit.<sup>[2]</sup> Cahilig would prepare disbursement vouchers, to be approved by the WPESLAI president and Board of Directors, in order to withdraw funds from one of WPESLAI's bank accounts then transfer these funds to its other bank account. The withdrawal was done by means of a check payable to Cahilig, in her capacity as WPESLAI cashier. This procedure for transferring funds from one bank account to another was said to be standard practice at WPESLAI. However, Cahilig did not actually transfer the funds. Instead, she made it appear in her personal WPESLAI ledger that a deposit was made into her account and then she would fill out a withdrawal slip to simulate a withdrawal of said amount from her capital contribution.<sup>[3]</sup>

The trial court found that Cahilig employed the same scheme in each of the 30 cases of qualified theft filed against her, allowing her to pilfer from WPESLAI'S funds a total of P6,268,300.00, broken down into the following amounts:

Criminal Case No. 03-2178	P200,000.00
Criminal Case No. 03-2179	P250,000.00
Criminal Case No. 03-2180	P200,000.00
Criminal Case No. 03-2181	P 55,000.00
Criminal Case No. 03-2182	P 55,000.00

Criminal Case No. 03-2183	P 85,000.00
Criminal Case No. 03-2184	P350,000.00
Criminal Case No. 03-2185	P250,000.00
Criminal Case No. 03-2186	P 20,000.00
Criminal Case No. 03-2187	P250,000.00
Criminal Case No. 03-2188	P 60,000.00
Criminal Case No. 03-2189	P150,000.00
Criminal Case No. 03-2190	P 50,000.00
Criminal Case No. 03-2191	P 46,300.00
Criminal Case No. 03-2192	P205,000.00
Criminal Case No. 03-2193	P200,000.00
Criminal Case No. 03-2194	P 25,000.00
Criminal Case No. 03-2195	P500,000.00
Criminal Case No. 03-2196	P500,000.00
Criminal Case No. 03-2197	P 30,000.00
Criminal Case No. 03-2198	P400,000.00
Criminal Case No. 03-2199	P300,000.00
Criminal Case No. 03-2200	P500,000.00
Criminal Case No. 03-2201	P 65,000.00
Criminal Case No. 03-2202	P 47,000.00
Criminal Case No. 03-2203	P500,000.00
Criminal Case No. 03-2204	P 40,000.00
Criminal Case No. 03-2205	P400,000.00
Criminal Case No. 03-2206	P 35,000.00
Criminal Case No. 03-2207	P500,000.00

All 30 cases were consolidated and jointly heard. Upon agreement of the parties, only three of the 30 cases went thru trial. The remaining 27 cases were the subject of a written stipulation of facts, on the basis of which these were submitted for resolution. The stipulation stated, among others:

That for purposes of efficient and speedy administration of these cases, the parties herein agreed, during the pre-trial conference and approved by the Honorable Court, that the actual trial and presentation of evidence will be done only on the first three (3) counts of the cases, i.e., on Cases Numbers 03-2178 to 03-2180, with the understanding and agreement that after the termination of the hearing on said three (3) cases, the parties shall adopt the results thereof in the remaining twenty-seven (27) counts, considering that all the cases arose from similar transactions with the same methods or *modus operandi* used in committing the crime charged, and involving the same accused and the same offended party[.]

[4]

### **The Ruling of the Regional Trial Court**

The RTC found Cahilig guilty of the crimes charged, in a Decision dated 16 June

2005, the dispositive portion of which reads:

WHEREFORE, in view of all the foregoing, this Court hereby finds Trinidad Cahlig guilty beyond reasonable doubt of the crime of qualified theft in each of the informations, and sentences her to suffer the penalty of:

1. In Criminal Case No. 03-2178, *reclusion perpetua* and to indemnify the private complainant in the amount of P200,000.00;
2. In Criminal Case No. 03-2179, *reclusion perpetua* and to indemnify the private complainant in the amount of P250,000.00;
3. In Criminal Case No. 03-2180, *reclusion perpetua* and to indemnify the private complainant in the amount of P200,000.00;
4. In Criminal Case No. 03-2181, *reclusion perpetua* and to indemnify the private complainant in the amount of P55,000.00;
5. In Criminal Case No. 03-2182, *reclusion perpetua* and to indemnify the private complainant in the amount of P55,000.00;
6. In Criminal Case No. 03-2183, *reclusion perpetua* and to indemnify the private complainant in the amount of P85,000.00;
7. In Criminal Case No. 03-2184, *reclusion perpetua* and to indemnify the private complainant in the amount of P350,000.00;
8. In Criminal Case No. 03-2185, *reclusion perpetua* and to indemnify the private complainant in the amount of P250,000.00;
9. In Criminal Case No. 03-2186, ten (10) years and one (1) days (sic) as minimum to twenty (20) years as maximum and to indemnify the private complainant in the amount of P20,000.00;
10. In Criminal Case No. 03-2187, *reclusion perpetua* and to indemnify the private complainant in the amount of P250,000.00;
11. In Criminal Case No. 03-2188, *reclusion perpetua* and to indemnify the private complainant in the amount of P60,000.00;
12. In Criminal Case No. 03-2189, *reclusion perpetua* and to indemnify the private complainant in the amount of P150,000.00;
13. In Criminal Case No. 03-2190, *reclusion perpetua* and to indemnify the private complainant in the amount of P50,000.00;
14. In Criminal Case No. 03-2191, ten (10) years and one (1) day as minimum to twenty (20) years as maximum and to indemnify the private complainant in the amount of P4[6],300.00;
15. In Criminal Case No. 03-2192, *reclusion perpetua* and to indemnify

the private complainant in the amount of P205,000.00;

16. In Criminal Case No. 03-2193, *reclusion perpetua* and to indemnify the private complainant in the amount of P200,000.00;

17. In Criminal Case No. 03-2194, ten (10) years and one (1) day as minimum to twenty (20) years as maximum and to indemnify the

21. In Criminal Case No. 03-2198, *reclusion perpetua* and to indemnify the private complainant in the amount of P400,000.00;

22. In Criminal Case No. 03-2199, *reclusion perpetua* and to indemnify the private complainant in the amount of P300,000.00;

23. In Criminal Case No. 03-2200, *reclusion perpetua* and to indemnify the private complainant in the amount of P500,000.00;

24. In Criminal Case No. 03-2201, *reclusion perpetua* and to indemnify the private complainant in the amount of P65,000.00;

25. In Criminal Case No. 03-2202, *reclusion perpetua* and to indemnify the private complainant in the amount of P47,000.00;

26. In Criminal Case No. 03-2203, *reclusion perpetua* and to indemnify the private complainant in the amount of P500,000.00;

27. In Criminal Case No. 03-2204, ten (10) years and one (1) day as minimum to twenty (20) years as maximum and to indemnify the private complainant in the amount of P40,000.00;

28. In Criminal Case No. 03-2205, *reclusion perpetua* and to indemnify the private complainant in the amount of P400,000.00;

29. In Criminal Case No. 03-2206, ten (10) years and one (1) day as minimum to twenty (20) years as maximum and to indemnify the private complainant in the amount of P35,000.00;

30. In Criminal Case No. 03-2207, *reclusion perpetua* and to indemnify the private complainant in the amount of P500,000.00.

Costs against accused in each of the above numbered cases. SO ORDERED.<sup>[5]</sup>

The RTC held that Cahilig, as cashier of WPESLAI, was granted trust and confidence by the key officers of the association. The RTC noted that Cahilig "enjoyed access to the funds and financial records of the association, a circumstance that understandably facilitated her easy withdrawal of funds which she converted to her personal use in the manner heretofore described. Undoubtedly, she betrayed the trust and confidence reposed upon her by her employer."<sup>[6]</sup>

### **The Ruling of the Court of Appeals**