

## **EN BANC**

**[ A.M. No. MTJ-99-1175, March 09, 1999 ]**

**VICTORINO CRUZ, COMPLAINANT, VS. JUDGE REYNOLD Q. YANEZA, METC, BRANCH 54, NAVOTAS, METRO MANILA, RESPONDENT.**

### **D E C I S I O N**

#### **PER CURIAM:**

RAFFY TULFO of Radio DZXL furnished the Office of the Court Administrator (OCA) with a copy of the unsworn letter-complaint of a certain Victorino Cruz, complainant herein, dated 13 March 1998 against respondent JUDGE REYNOLD Q. YANEZA of MeTC-Br. 54, Navotas, Metro Manila. Cruz complained of the alleged irregular approval of bail bonds and issuance of release orders by Judge Yaneza in violation of Sec. 17, Rule 114, of the Rules on Criminal Procedure.

On 17 June 1998 the OCA referred the letter-complaint to Executive Judge Benjamin M. Aquino Jr. of RTC-Br. 72, Malabon, Metro Manila, with instructions to conduct a discreet investigation.

In a Report dated 27 July 1998 Judge Aquino confirmed that Judge Yaneza had been improperly approving bail bonds and irregularly issuing release orders for accused whose cases were pending outside of his jurisdiction, to wit:

1. At 5:25 p.m. on 25 August 1997 Judge Yaneza issued a release order for Dario Daquilog y Mabalacad who was detained at the DILG-PARAC Detention Center in connection with Crim. Case No. Q-97-72204 pending before RTC-Br. 218, Quezon City.
2. On 11 February 1998 Judge Yaneza issued a consolidated order in Crim. Cases Nos. 7992-AF, 7994-AF, 7995-AF of RTC-Brs. 26, 24, 28 and 86, Cabanatuan City, commanding the release of the accused Consolacion F. de la Cruz, detained at the PNP-CIG Detention Center, Camp Crame, Quezon City. In Crim. Case No. 7995-AF no bail was recommended for the provisional liberty of de la Cruz. Also, the bail bonds were presented to respondent Judge in his office at 7:00 p.m.
3. At 1:30 p.m. on 28 February 1998, a Saturday, Judge Yaneza issued a release order relative to Crim. Cases Nos. 28102-22 pending before MeTC-Br. 34, Quezon City. The accused was detained at PNP-BDO, Camp Karingal, Sikatuna, Quezon City.
4. On 21 March 1998, a Saturday, Judge Yaneza issued a release order for Henry Lasay who was detained at the PNP-WPD, U.N. Avenue, Manila, in connection with Crim. Case Nos. 14111-14116 pending

before RTC-Br. 48, Puerto Princesa City, Palawan.

5. On 5 April 1998, a Saturday, Judge Yaneza issued a release order relative to Crim. Case No. 2618 pending before RTC-Br. 34, Balaoan, La Union.
6. On 8 April 1998 Judge Yaneza issued a release order relative to Crim. Case Nos. 080-98 to 099-98 pending before MTC-Balagtas, Bulacan.
7. On 16 June 1998 Judge Yaneza issued a release order relative to Crim. Case No. 41-98 pending before RTC-Br. 5, Lemery, Batangas while the corresponding JDF fees were not paid. The accused was detained at PNP-WPD, U.N. Avenue, Manila.
8. On 23 June 1998 Judge Yaneza also approved the bail bond for Julieta Sta. Maria y Moya who is charged in Crim. Case No. 90381 pending before MeTC-Br. 41, Quezon City, while the accused was detained at the Quezon City Jail-Station 7, Araneta Center, Cubao, Quezon City.
9. On 23 June 1998 Judge Yaneza approved the bail bond of Melissa Laurente Manlangit who was charged with Crim. Case No. Q-98-77419 before the RTC-Br. 87, Quezon City. Laurente at that time was detained at the Quezon City Jail-Araneta Police Station, Cubao, Quezon City.
10. On 2 July 1998 Judge Yaneza approved the bail bond of Hassan Hussin y Sabdani who was accused in Crim. Case No. Q-98-77567 pending before RTC-Br. 107, Quezon City, and issued a release order although the accused was detained at the PNP-CPDO, Camp Karingal, Quezon City. The release order was issued at 7:40 p.m.
11. On 3 July 1998 Judge Yaneza approved the bail bond of Librada Natividad who was accused in Crim. Case nos. (30)50301-20 pending before MeTC-Br. 39, Quezon City, and correspondingly issued a release order therefor although accused was detained at the DILG-BJMP, NCR, Valenzuela Municipal Jail. The release order was issued at 7:15 p.m.
12. At 7:25 p.m. on 3 July 1998 Judge Yaneza approved two (2) bail bonds and issued the release order of Carlito Baydo y Cabiong who was detained at the Baler Police Station, Quezon City in connection with Crim. Cases Nos. Q-98-77603-04 pending before RTC-Br. 80, Quezon City.
13. At 5:45 p.m. on 15 July 1998 Judge Yaneza approved the bail and issued the release order of Elenita Bacares y Lambino in connection with Crim. Cases Nos. 2072-2087 pending before RTC-Br. 34, Gapan, Nueva Ecija. The accused was detained at the PNP-CPD CID, Camp Karingal, Sikatuna, Quezon City.

14. On 17 July 1998 Judge Yaneza issued a release order for Adriano Dizon y Santos who was detained at the PNP-CPDO, Quezon City in connection with Crim. Cases No. 98-90795 pending before MeTC-Br. 41, Quezon City.
15. On 17 July 1998 Judge Yaneza issued a release order for Adonis Malacora who was detained at the PNP-NPDO, Malabon Police Station, Malabon, Metro Manila, in connection with Crim. Case No. 89005 pending before MeTC-Br. 41, Quezon City.
16. On 17 July 1998 Judge Yaneza approved the bail bond of Manuel E. Fabros y Deliquiado, then detained at the Central Police District Police Station No. 7, Araneta Center, Cubao, Quezon City, in connection with Crim. Case No. 98-90729 pending before MeTC-Br. 41, Quezon City.
17. On 19 July 1998, a Sunday, Judge Yaneza issued a release order to Teresita Agayatin y Ayuntan who was detained at the PNP-WPD Warrant Section, U.N. Avenue, Manila, in connection with Crim. Case No. 98-0714 pending before RTC-Br. 118, Pasay City.
18. On 21 July 1998 Judge Yaneza issued a release order for Maria Luz Catindig y Gamboa, then detained at the PNP-CIDG, NCR, Camp Crame, Quezon City, in connection with Crim. Case No. 98-086 pending before RTC-Pasay City.
19. On 21 July 1998, at 6:05 p.m. Judge Yaneza issued a release order for Jerry Chan y Victoriano who was detained at the PNP-NPD, Malabon Police Station, Malabon, Metro Manila, in connection with Crim. Case No. 7656-98 pending before MeTC-Br. 56, Malabon.
20. On 25 August 1998 Judge Yaneza approved the bail bond relative to Crim. Case No. RC-0135-Cr. Pending before his sala despite non-payment of JDF fees.
21. On 23 September 1998 a release order was issued relative to Crim. Case No. 98-0045-CR pending before the sala of Judge Yaneza despite non-payment of JDF fees.
22. At 6:05 p.m. on 7 October 1998 Judge Yaneza issued a release order relative to Crim. Case No. 9947 pending before the RTC of Malabon while the corresponding JDF fees were not paid.

The accused had already been convicted in Crim. Cases Nos. 18045-46 pending before Executive Judge Aquino but because of the bail bond approved and the order issued by Judge Yaneza, the accused was released.

23. On 18 October 1998 Judge Yaneza issued a release order relative to Crim. Case No. 20933 pending before the RTC of Malabon while the corresponding JDF fees were not paid.

24. On 19 October 1998 and relative to Crim. Cases Nos. 189164-66 pending before MeTC-Br. 50, Caloocan City, Judge Yaneza issued a release order while the corresponding JDF fees were not paid.
25. On 9 November 1998 at 6:10 p.m. Judge Yaneza issued a release order relative to Crim. Cases Nos. 7751-98 pending before MeTC-Br. 55, Malabon.

In his answer dated 13 August 1998 Judge Yaneza admits having approved bail bonds posted by the accused who were detained outside of Navotas and whose cases were pending in courts outside of his jurisdiction. Nevertheless, according to him, he approved the bail bonds and issued corresponding release orders in good faith and not for any pecuniary consideration. He maintains that there is nothing irregular in his conduct as it did not in any way prejudice the rights of the other litigants. Furthermore, he claims that he only approved the bail bonds and issued release orders for personal fulfillment and spiritual satisfaction in extending expeditious assistance to the hapless and pitiful detention prisoners. He condemns the filing of the instant letter-complaint, with complainant hiding behind the anonymity of a fictitious name and intended merely to embarrass and malign respondent's integrity.

Moreover, Judge Yaneza alleges that he is constrained to work overtime, sometimes even Saturdays and Sundays, because he has lost trust and confidence in his clerk of court who is allegedly incompetent and lacks dedication to his work. He avers that it is during his overtime work that requests for action on bail bonds are normally presented. In the questioned bail bonds he issued, he was almost overwhelmed with pity as the accused were usually poor, oppressed and beleaguered, hence, he approved their bail bonds.

Notwithstanding the letter-complaint of Victorino Cruz, and in stubborn defiance of this Court's directive for him to explain his anomalous approval of bail bonds and consequent issuance of release orders, Judge Yaneza continued with his misconduct and wrongdoing. On 27 August 1998 Executive Judge Benjamin M. Aquino, Jr. reported that Judge Yaneza approved the bail bonds and issued release orders in the following cases in various courts outside his jurisdiction, to wit:

1. Crim. Cases Nos. 7-835 to 7-837-98 for BP 22 pending before the MTC of Sta. Maria, Bulacan;
2. Crim. Cases Nos. 7-838 to 7-843-98 for BP 22 also pending before the MTC of Sta. Maria, Bulacan; and
3. Crim. Case No. 7528 for falsification of public documents pending before the MCTC, Nabua, Camarines Sur.

Perhaps due to the brewing antagonism which further strained the relationship between respondent Judge and his branch clerk of court, the former issued Office Order No. 04-98 authorizing four (4) of his court personnel, aside from the clerk of court and cash clerk, to receive payments and issue official receipts relative to docket and other fees paid by litigants. Because the personnel thus designated by respondent Judge were not bonded, hence not authorized by law to receive payments, the OCA on 31 August 1998 directed respondent Judge to desist and refrain from implementing his Office Order No. 04-98.

Thereafter, on 15 September 1998, respondent Judge's Clerk of Court Roman M. Gatbalite submitted copies of bail bonds approved and release orders issued by respondent Judge for cases pending in courts outside his jurisdiction -

1. Crim. Case No. 90-591 pending before MTC-Br. II, Angeles City;
2. Crim. Case No. 98-2419 pending before RTC-Br. 273, Marikina City;  
and
3. Crim. Cases Nos. 14111-14116 pending before RTC-Br. 48, Puerto Princesa, Palawan.

Notably, in addition to the instant case, respondent Judge Yaneza along with his Staff Clerk Bethsaida Miranda is confronted with another administrative complaint docketed as OCA IPI No. 98-586 filed by spouses Rogelio and Elvira Conje for extorting money from complainant-spouses in consideration of the approval of their application for bail in Crim. Cases Nos. RC-0058-71 pending before his sala. The complaint has yet to be resolved.

After a thorough evaluation, together with the independent investigation and report of Executive Judge Aquino, the OCA found -

The records of the instant administrative case sufficiently provide a conclusive basis for respondent judge's administrative liability. His unlawful act of approving the bail bond and ordering the release of an accused charged with an explicitly non-bailable offense pending in another court far away from his station is an anomaly so glaring on a matter so basic that to suggest that the act was done in gross ignorance is to insult even the most naïve. To offer as an excuse to this Court that he did so, not out of ignorance, but in good faith is to administer a double insult to common sense x x x x

Clearly, respondent judge cannot justify his actions of approving bail bonds and issuing release orders of accused persons detained outside of his territorial jurisdiction and who have pending cases in other courts on the pretext of a feigned authority under the rules. For the rule is clear and does not permit the liberal interpretation that respondent judge claims he is entitled to apply to the rules. The unjustified and unlawful acts of respondent judge in the premises constitute grave misconduct amounting to corruption. The acts complained of were in persistent and patent disregard of the well-known legal rules that compassion and pity which purportedly motivated him to approve the bail bonds and to release the accused in illegal circumstances will not serve to exonerate him from administrative liability. Respondent judge's actions were corrupt and were indeed motivated by an intention to violate the law. The issuance of the questioned release orders after office hours, during Saturdays or Sundays and at the residence of respondent judge is indisputably irregular, unlawful and anomalous and is totally inconsistent with any claim of good faith in the performance of his judicial functions.

Despite the filing of this administrative complaint and even after his attention was called to the matter, respondent judge has continued