



**REPUBLIC OF THE PHILIPPINES
SANDIGANBAYAN
QUEZON CITY**

FIFTH DIVISION

PEOPLE OF THE PHILIPPINES,

Plaintiff,

SB-18-CRM-0052 to 0053

**For: Violation of
Section 3(e), R.A. No.
3019, as amended**

-vs-

CRISOLOGO SABOD BITAS

Accused.

Present:

**LAGOS, J., Chairperson
MENDOZA-ARCEGA, J.,
and CORPUS-MAÑALAC, J.**

Promulgated:

October 25, 2018 *lal*

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RESOLUTION

MENDOZA-ARCEGA, J.:

This resolves the Motion to Set Case for Arraignment in Tacloban, filed by the accused, through counsel, on October 11, 2018 and the Opposition by the prosecution, orally submitted, during the hearing dated October 17, 2018.

The accused, in his motion, prays for this Court to set the case for arraignment in Tacloban, since the accused remains chronically bedridden and still unable to travel due to the effect of his stroke in 2015, which rendered the right side of his body paralyzed and generally made him physically weak making long distance travel

risky. In support of his plea, he attached a Medical Certificate dated July 16, 2018, signed by Attending Physician, Vicente Francisco F. Zeta, MD, FPCP, FPCCP.

The prosecution, in its Opposition, objects to the further deferment of the arraignment since it was already the fourth time that it was deferred, thus unduly delaying the procedure of the present case.

On October 19, 2018, the accused, through counsel, submitted a Manifestation, stating that Dr. Vicente Francisco F. Zeta, MDM FPCP, FPCCP, after reassessment and reevaluation, found the accused still unable to ambulate due to paralysis of the right side (residual right hemiplegia) caused by the stroke he suffered in 2015 and that the accused was advised not to travel to distant places for three (3) months.

Hence, this resolution.


The accused, in his motion, pleads for the compassion of the Court in allowing him to set his arraignment in his hometown, Tacloban City, Leyte. In seeking for the indulgence of the Court, he presented a Medical Certificate duly signed by his attending physician, which clearly explained his predicament and current state of health.

The Supreme Court in a replete number of jurisprudence unrelentingly held that all rules of procedure should yield to the greater and higher interest of substantial justice. The same Court is also consistent in saying that the rules of procedure are tools to promote the ends of justice and is ultimately, an implement of everyone's quest for the truth.

Also, the Revised Internal Rules of the Sandiganbayan, particularly Rule IV, Section 1 thereof, states:

Section 1. Official Station; Place of Holding Sessions – The Sandiganbayan shall have its principal office in the Metro Manila area and shall hold sessions thereat for the trial and resolution of cases filed with it: Provided, however, that cases originating from Luzon, Visayas and Mindanao, shall be heard in the region of origin, **except only when the greater convenience of the parties and of the witnesses or other compelling considerations require the contrary, in which instance a case originating from one region may be heard in another region:** Provided further, that for this purpose the Presiding Justice shall authorize any Division or Divisions of the Sandiganbayan to hold sessions at any time and place outside Metro Manila, and where the greater interest of justice so requires, outside the Philippines. (Emphasis supplied)

As explicitly mentioned above, and as determined by this Court, a relaxation of the rules on venue may be availed of by the parties for compelling considerations and for the greater convenience of the parties. As reminded by the Highest Court of the land, “the law is made for man, not man for the law.”



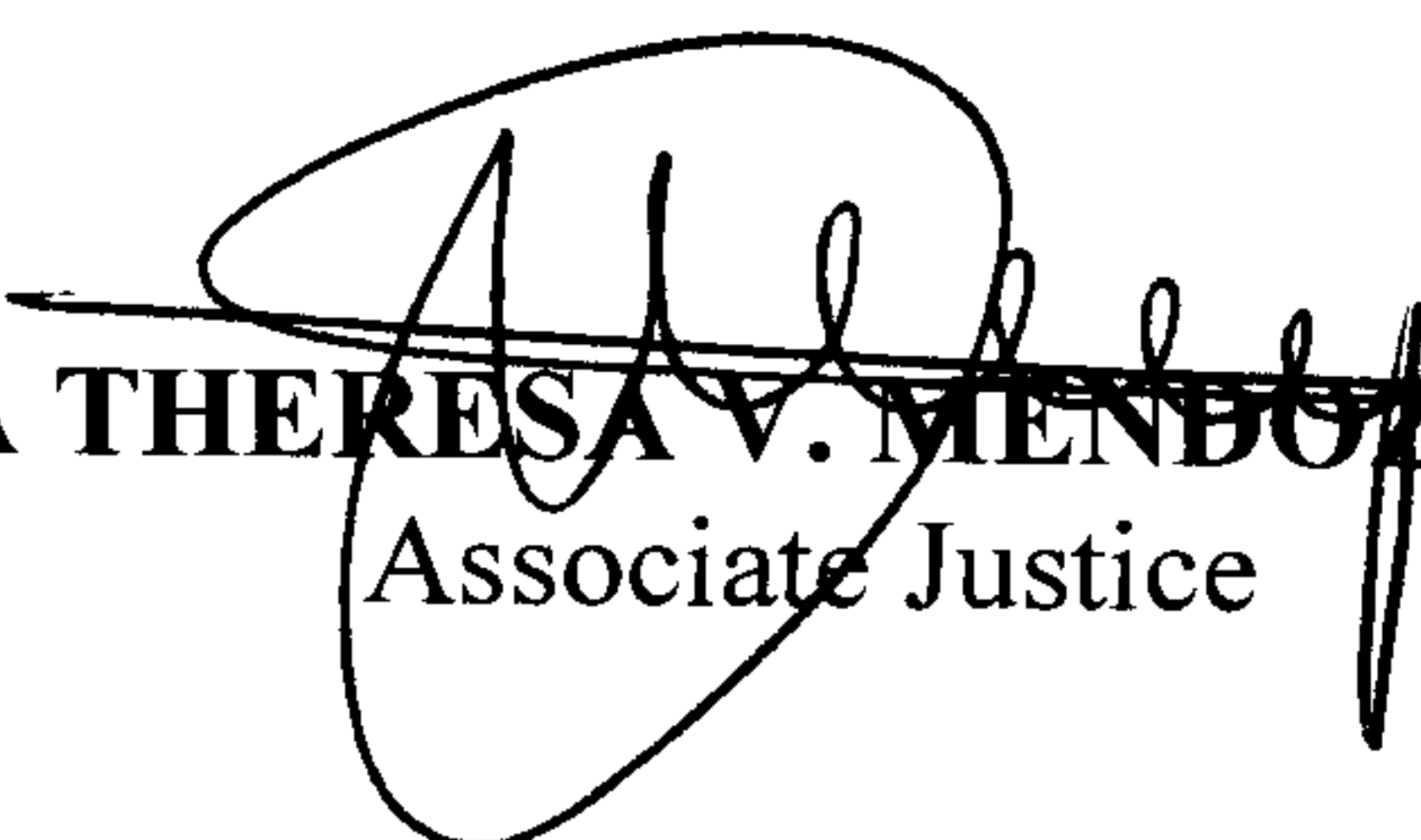
Thus, for humanitarian considerations and for the embodiment of the immortal and consistent pronouncements of the Court on the rules of procedure and its implication on the mandate of administration of justice, the plea of the accused, coupled with substantial evidence, should be permitted.

WHEREFORE, in view of the foregoing, the accused's Motion to Set Case for Arraignment in Tacloban, is hereby **GRANTED**.

Accordingly, let the arraignment and pre-trial of accused, Crisologo Sabod Bitas, be set on **January 29, 2019 at 8:30 in the morning** at the Regional Trial Court of Tacloban City, Leyte. The parties are reminded that the aforementioned date of hearing is non-transferrable in character.

In addition, the prosecution, the accused and his counsel are directed to be ready with the list of their respective documentary exhibits (with markings in red ink), witnesses, issues, proposals for stipulations and/or admitted facts on the above-stated date. The parties are likewise requested to email the soft copy, in Microsoft Word format, of the said list to the Fifth Division's email address: sb5thdiv@gmail.com, prior to the date of the arraignment and pre-trial.

SO ORDERED.


MARIA THERESA V. MENDOZA-ARCEGA
Associate Justice

WE CONCUR:


RAFAEL R. LAGOS
Chairperson


MARYANN E. CORPUS-MAÑALAC
Associate Justice