



Republic of the Philippines
SANDIGANBAYAN
Quezon City

SIXTH DIVISION

**PEOPLE OF THE
PHILIPPINES,**

Plaintiff,

SB-12-CRM-0380 - 0381

For: Violation of Section 3 (e) of
Republic Act No. 3019 and
Malversation of Public Funds

-versus-

PRESENT:

**CLAVEL A. MARTINEZ,
CELESTINO A. MARTINEZ
III, CRESENCIO P.
VERDIDA, RHODARIZA V.
KILANTANG, JULIETA G.
QUIÑO, and MARIA CIELO
A. MARTINEZ,**

FERNANDEZ, SJ, J., *Chairperson*
MIRANDA, J., &
VIVERO, J.

Promulgated:

Accused,

MAR 12 2019

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RESOLUTION

MIRANDA, J.:

This resolves the: 1) Motion for Release of Travel Bond dated February 11, 2019 filed by accused Celestino A. Martinez III (Martinez III) on February 12, 2019; and 2) Comment (On the Motion for Release of Travel Bond of Accused Celestino A. Martinez III) dated February 18, 2019 filed by accused Martinez III on the same day.

In his motion for release of travel bond, Martinez III seeks the release of his travel bond in the amount of One Hundred Sixty Thousand Pesos (Php160,000.00) as evidenced by Official Receipt No. 5497601 considering that he personally appeared before the Division Clerk of Court and filed his Compliance dated November 29, 2018.

In his earlier compliance, accused Martinez III stated that he could not personally appear before the Division Clerk of Court within 5 days from his arrival to the Philippines on November 20, 2018 because he had to attend the

regular session of the *Sangguniang Panlalawigan* of the Province of Cebu. He could also not appear earlier because of the bad weather in Cebu at that time.

In its comment, the Prosecution objected to the release of the travel bond of accused Martinez III because he belatedly appeared before the Division Clerk of Court, or on November 27, 2018 only. The Prosecution states that the failure of accused Martinez III to present himself in person to the Division Clerk of Court within the required period violated the Court's order and conditions of his travel.

The Court notes the apology of accused Martinez III with a warning that the present violation will be considered in his subsequent requests for authority to travel. Over the objection of the Prosecution and considering that accused Martinez III has returned to the Philippines and had substantially complied with the terms and conditions of his authority to travel abroad, the Court grants his motion for the release of his travel bond.

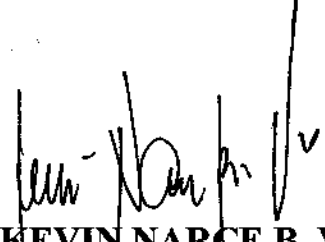
WHEREFORE, the Motion for the Release of Travel Bond dated February 11, 2019 of accused Celestino A. Martinez III is **GRANTED**. Accordingly, his travel bond in the amount of One Hundred Sixty Thousand Pesos (Php160,000.00) is released subject to the usual accounting and auditing procedures.

SO ORDERED.


KARL B. MIRANDA
Associate Justice

WE CONCUR:


SARAH JANE T. FERNANDEZ
Associate Justice
Chairperson


KEVIN NARCE B. VIVERO
Associate Justice