

RTC-000
QUEZON CITY (Crim. Sec.)
JUL 21 2011
BY: *And 3:00*

RTC - QUEZON CITY
BRANCH 03
EIGHTY THREE
PEOPLE OF THE PHILIPPINES,
-versus-

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
QUEZON CITY BRANCH

XV03 INV-11E-03792 *rechecked*

CRIM. CASE NO. *Q-11-171329*

RECKLESS IMPRUDENCE
RESULTING IN DAMAGE
TO PROPERTY WITH
HOMICIDE

DANIEL ESPINOSA Y OYANIN,
39 years old, married, driver, native
of Bansalan, Davao del Sur and res.
at Velasquez St., Banglad, Bgy.
San Juan, Taytay, Rizal

VICTOR ANCHETA Y LOBOSITA,
30 years old, married, driver, native
of Masbate, Masbate and residing at
No. 52 Old Cabuyao, Bgy. Sauyo,
Novaliches, Quezon City

(BOTH AT LARGE)

Accused.

x-----x

INFORMATION

The undersigned accuses **DANIEL ESPINOSA Y OYANIN** and **VICTOR ANCHETA Y LOBOSITA** of the crime of Reckless Imprudence Resulting in Damage to Property with Homicide, committed as follows:

That on or about the 13th day of May, 2011, in Quezon City, Philippines, Accused, **VICTOR ANCHETA Y LOBOSITA**, being then the driver and/or person in charge of a NOVA Bus bearing Plate No. TXE-271(owned by Nova Auto Transport Bus) and Accused **DANIEL ESPINOSA Y OYANIN**, being the driver and/or person in charge of a Daewoo Passenger Bus (owned by Universal Guiding Star Bus Line Corp.) with Plate No. UVC-343, did then and there unlawfully and feloniously drive, manage and operate their respective vehicle along Commonwealth Avenue, Diliman, this City, in a reckless, careless, negligent and imprudent manner, by then and there making their vehicles run at a speed greater than was reasonable and proper and without taking the necessary precaution to avoid accident to persons and damage to property considering the condition of the traffic on said place at that time, and as a consequence of their carelessness, negligence, imprudence and lack of precaution, the Nova Bus being driven, managed and operated by Accused Victor Ancheta hit and bump the right side portion of a Toyota Vios (Abu Abbey Taxi) bearing Plate No. TXH-532, driven and managed by **VITO JAGUNOS Y TAMPOY** and registered to Delfin B. Llagas, and then immediately thereafter, the Daewoo Passenger Bus being driven, managed and operated by accused Daniel Espinosa y Oyanin also hit and rammmed the rear portion of the said taxi, thereby causing damages thereto in the amount of Php250,000.00, Philippine Currency; and, as a consequence of the strong impact, one **LOURDES SIMBULAN Y ESTELLA**, a passenger of the taxi, sustained serious and mortal wounds which were the direct and immediate cause of her untimely death; to the

damage and prejudice of Mr. Delfin Llagas, owner of the said taxi and the heirs of Lourdes Simbulan y Estella.

That, immediately after the collision, both accused run away and failed to lend on the spot to the injured victim such help as maybe in their hands to give nor did they report the incident to the proper authorities outright for investigation; thus, the attendant circumstance of "failure to lend help to one's victim" under the last paragraph of Article 365 of the Revised Penal Code was present.

CONTRARY TO LAW.

Quezon City, Philippines, July 18, 2011.


RONALD A. TORRIJOS
Assistant City Prosecutor

I hereby certify that a preliminary investigation in this case has been conducted by me in accordance with law; that I have examined the complainant and on the basis of the sworn statements and other evidence submitted before me, there is reasonable ground to believe that the offense charged has been committed and that the accused are probably guilty thereof; that accused were informed of the complaint and other evidences submitted against them and were given opportunity to submit controverting evidence; that the filing of this information is with the prior authority and approval of the City Prosecutor.

Quezon City, Philippines, July 18, 2011.


RONALD A. TORRIJOS
Assistant City Prosecutor

SUBSCRIBED AND SWORN to before me this 18th day of July, 2011, in Quezon City, Philippines.


Assistant City Prosecutor


WITNESSES:

1. Roland Simbulan – No. 31-B Evergreen Drive, Capitol Green Village, Tandang Sora, Quezon City
2. Vito T. Jagunos – No. 38 Calvary Hills, New Manila, Quezon City
3. Delfin Llagas – No. 4644 Pagkakaisa St., V. Mapa, Sta. Mesa, Manila

AND OTHERS.

BAIL RECOMMENDED: Thirty Thousand (Php30,000.00) Pesos each.

APPROVED BY AUTHORITY
OF THE CITY PROSECUTOR


ROGELIO VELASCO
2ND ASST. CITY PROSECUTOR
CHIEF, DIVISION 1