

## **SECOND DIVISION**

**[ G.R. No. 131113, April 21, 1999 ]**

**DIONISIA ARTAJOS, PETITIONER, VS. COURT OF APPEALS AND  
PEOPLE OF THE PHILIPPINES, RESPONDENTS.**

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

**MENDOZA, J.:**

Petitioner Dionisia Artajos was charged with grave slander in a complaint filed by Nenita Uy with the Municipal Trial Court (MTC) of Vigan, Ilocos Sur. The complaint alleged -

That on December 3, 1993, in the Municipality of Vigan, province of Ilocos Sur, and within the jurisdiction of this Honorable Court, the abovenamed accused, moved by personal resentment and ill feelings which she harbors against the undersigned, did then and there, wilfully, unlawfully, feloniously and publicly uttered to undersigned complainant the following slanderous and defamatory words - "sika switik, salawasaw, ma[g]nanakaw" "Gaga, Baboy" thereby seriously insulting, discrediting, and dishonoring complainant.

Contrary to law.

Upon arraignment, petitioner pleaded "not guilty," whereupon trial was held.

The main witness for the prosecution was complainant Nenita Uy whose testimony is summarized in the following portion of decision of the MTC:

The witness testified that she has been a teacher of the Burgos Memorial West since September 30, 1984. On December 3, 1993, she arrived at school at 7:15 in the morning. She recorded in the principal's office the time of her arrival in the logbook and in her form 48. During the recitation of the Panatang Makabayan, Miss Dionisia Artajos shouted, "Oy sika Mrs. Uy, okinnam rummuarka ta patayen ka." The accused was then standing facing west from six to eight meters northeast of the principal's office. Present were the pupils participating in the flag ceremony. The complainant could not bear the situation, went away then proceeded to her classroom. Still she could hear the accused shouting. She later went out. She saw her co-teacher Mr. Faina the officer-in-charge and Miss Henedina Alconis. They were inside the Learning Resource Center (LRC) and so she entered the LRC asking the whereabouts of their OIC. They went out to look for the principal. While near the door of the Learning Resource Center the complainant saw Miss Artajos near the office of the principal and the accused was again beckoning her hands at the complainant uttering words because she was very angry at the time. She uttered "you come here the vulva of your mother and I will kill you,

swindler, thief, liar, you are talking with Artajos of Pagburnayan." Mrs. Nenita Uy just remained standing and she noticed the principal with her co-teachers, Miss Susan Alconis and Ms. Pacita Go came out from the principal's office. She saw the principal, Dr. Jovina Alibin approached her. While Ms. Pacita Go and Miss Alconis went with Miss Artajos, Miss Artajos continued shouting. The principal, Mr. Faina and Mrs. Henedina Alconis led the complainant away from Miss Artajos. She was brought to a room of Mrs. Melita de Gracia. The accused was still shouting outside the principal's office. The principal advised the complainant that she should keep calm. The principal accompanied the complainant to her room and she continued teaching. She asked permission from the principal that she will go to the higher authorities. She went first to the district supervisor but upon learning that he was out of the district, the complainant went to the division superintendent who was also out of the province. She later went to the barangay captain. The complainant tried her best to have a confrontation with Miss Artajos in front of the principal. The principal refused as she thought that it might get worse if they confront each other at that moment. Mrs. Uy went to Barangay Captain William Verzosa in the latter's house. She informed and related to the barangay captain about the incident and the slanderous remarks made by the accused such as "salawasaw, ma[g]nanakaw, baboy." The barangay captain called for his secretary. At about 2:00 o'clock in that same day there was a confrontation between the accused and the complainant in the principal's office at the Burgos Memorial West. Present were Dr. Jovina Alibin, barangay captain William Verzosa, Brgy. Secretary Pinedo Rojas and barangay councilman Desiderio Pascua. Mrs. Nenita Uy and Miss Artajos were also present. The barangay captain told the accused about the complaint and the purpose to settle what happened between Miss Artajos and the complainant, but Miss Artajos answered, "Isu ngamin Kapitan, that's why I told her that I will kill her because I came to know from my co-teacher that she is looking for someone who will kill me by means of a witchcraft." There was no settlement because the accused got angry uttering so many bad traits of the complainant that Mrs. Uy is a swindler, the payment of the land which was paid by Reny's Dry Goods and through the barangay captain she even said that the complainant grabbed the grinder managed by her. That the complainant is the cause of the laziness of their co-teacher at the Burgos Memorial West because the complainant is not teaching but placing make up and counting her riches. On December 6, 1993, the complainant was summoned to the office of the district supervisor where she saw Miss Artajos, the principal and the district supervisor interviewed the complainant and the accused. The complainant did not agree to a settlement because Miss Artajos could not accept her own mistake. Because of the incident the personal and family life of the complainant was affected. She was so ashamed with her friends and their small business of grinder and a small sari-sari store was also affected.

Petitioner denied the accusation and claimed that it was complainant who, after the flag ceremony in the morning of December 3, 1993, shouted at her "*Oki Artajos, uray ket no pinnatay.*" According to petitioner, she was then with a group of teachers composed of Perlita Lique, Pacita Go, Henedina Alconis, Honorata Anila, and Carolina Riego. They were telling green jokes as Perlita Lique was dancing.