



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES, G.R. No. 234519
Plaintiff-appellee,

Present:

PERLAS-BERNABE, S.A.J.,
Chairperson,
HERNANDO,
INTING,
DELOS SANTOS, and
GAERLAN,* JJ.

- versus -

Promulgated:

REYNALDO JUARE y ELISAN
AND DANILO AGUADILLA y
BACALOCOS,
Accused-appellants.

22 JUN 2020

X ----- X

DECISION

INTING, J.:

Before the Court is an appeal¹ from the Decision² dated July 4, 2017 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08369 which affirmed the Decision³ dated October 23, 2014 of Branch 170, Regional Trial Court (RTC), City of Malabon in Criminal Case No. 22886-MN.

* Designated as additional member as per Special Order No. 2780 dated May 11, 2020; on leave.

¹ See Notice of Appeal dated August 8, 2017, *rollo*, pp. 18-19.

² *Id.* at 2-17; penned by Associate Justice Ramon A. Cruz with Associate Justices Marlene Gonzales-Sison and Jhosep Y. Lopez, concurring.

³ CA *rollo*, pp. 50-65; penned by Presiding Judge Zaldy B. Docena.

The RTC found Reynaldo Juare y Elisan (Juare) and Danilo Aguadilla y Bacalocos (Aguadilla) (collectively, accused-appellants) guilty beyond reasonable doubt of the crime of Robbery with Homicide punishable under Article 294(1) of the Revised Penal Code.

The Antecedents

Accused-appellants were charged with the crime of Robbery with Homicide, in an Information⁴ which reads, as follows:

That on or about the 24th day of May, 2000 in the Municipality of Navotas, Metro Manila, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, while armed with a blunt instrument and bladed weapon, conspiring, confederating and helping one another, with intent to gain and by means of force, violence and intimidation employed upon the person of ADELA ABELLA Y DE CASTRO, did, then and there, willfully, unlawfully and feloniously take, rob and carry away one (1) bag containing cash money amounting to ₱15,000.00 and assorted jewelries worth ₱300,000.00 owned and belonging to ADELA ABELLA Y DE CASTRO, to the damage and prejudice of the complainant in the total amount of ₱315,000.00; that on the occasion of the said robbery the accused with the use of bladed weapon & blunt instrument/stab and hit one ADELA ABELLA Y DE CASTRO thereby inflicting upon the said ADELA ABELLA Y DE CASTRO serious physical injuries which directly cause her death.

CONTRARY TO LAW.⁵

At the arraignment on September 14, 2000, Juare and Aguadilla pleaded not guilty to the charge.⁶

Trial on the merits ensued.

The Version of the Prosecution

During the trial, the prosecution presented the testimonies of the following: (1) Dr. Jose Arnel M. Marquez (Dr. Marquez), the medico-legal officer of the Philippine National Police (PNP) Crime Laboratory, NPD Caloocan City, who conducted an autopsy on the body of Adela

⁴ Records, pp. 1-2.

⁵ *Id.* at 1.

⁶ *Id.* at 26.

Abella y De Castro (victim); (2) Alfredo L. Tecson (Tecson), a neighbor and friend of the victim's family; (3) Teresita Abella (Teresita), the daughter of the victim; (4) Alfredo Baudin (Baudin), the family caretaker of the building where the victim was found dead; (5) Dr. Olga Bausa (Dr. Bausa), the pathologist at the PNP Crime Laboratory who conducted the examination on the kitchen knife alleged to have been used in the stabbing of the victim; (6) Police Officer II Jose Mario Jumaquio (PO2 Jumaquio), the investigator assigned to the case; (7) Jeffrey Arnaldo (Arnaldo), a supervisor at the Abella Marine Supply Co., and the husband of the victim's granddaughter; and (8) *Barangay* Chairman Reynaldo Tan (Brgy. Chairman Tan) of Brgy. San Rafael, who first responded to Arnaldo's call for assistance.

The witnesses' testimonies can be summarized as follows:

On May 23, 2000, at around 9:00 p.m., Tecson was in the store of one Romy Cruz, located in front of the victim's house. He was having a drinking spree with friends when Aguadilla, whom he personally knew for more than ten years, passed by their table. Aguadilla entered the victim's house through the accordion door and another glass door.⁷ Tecson left the store at around 11:00 p.m., but he never saw Aguadilla come out from the victim's house.⁸

Baudin was inside the compound on the night of the incident. At that time, he requested Juare to lock the office for him because he was not feeling well.⁹ He then played a game of chess and drank gin with accused-appellants. At around 8:30 p.m., Baudin decided to go home because of his condition.¹⁰ Aguadilla told them that he also wanted to go home, borrowed an umbrella, and went inside the warehouse to get one.¹¹ Baudin did not see Aguadilla leave the premises.¹² Earlier, during their game of chess, Baudin observed that Juare left the premises four times. Juare also borrowed the keys of the garage from him.¹³ Baudin testified that Aguadilla's wife Nita, who needed some medicines, arrived and passed through the back of the building.¹⁴ Nita also asked Baudin to call a pedicab for her.¹⁵

⁷ TSN, February 11, 2002, pp. 3-10.

⁸ *Id.* at 3-5.

⁹ TSN, March 7, 2002, p. 8.

¹⁰ *Id.* at 10-13.

¹¹ *Id.* at 13.

¹² *Id.* at 14.

¹³ *Id.*

¹⁴ *Id.* at 14-15.

¹⁵ *Id.*

The following morning, when Baudin was about to open the door of the office, he noticed that the accordion door was partially open.¹⁶ He confronted Juare about the matter, but the latter told him that he locked it in the presence of the victim.¹⁷ He also noticed that the key to the front door was already on the steel accordion door.¹⁸

Arnaldo arrived at the victim's place at around 7:30 a.m. of May 24, 2000.¹⁹ He was with Juare and Baudin.²⁰ At around 8:30 a.m., Baudin asked Arnaldo to go upstairs and wake up his grandmother.²¹ Upon opening the bedroom door, Arnaldo saw the victim sprawled on the floor with blood on her right temple.²² The room was also in disarray, with broken glasses and vases everywhere.²³ Arnaldo went downstairs and told Baudin and Juare about the situation.²⁴ He then summoned his neighbors and the *barangay* officials to report the incident, while Baudin and Juare proceeded upstairs.²⁵

Brgy. Chairman Tan responded to Arnaldo's report and proceeded to the crime scene. He saw the lifeless body of the victim on the bed.²⁶ He immediately ordered his *barangay* tanod to seek medical assistance, but the doctor who responded pronounced the victim dead.²⁷ Brgy. Chairman Tan likewise called for police assistance.²⁸ PO2 Jumaquio and PO3 Charlie Bontigao proceeded to the crime scene and also saw the lifeless body of the victim.²⁹ They conducted an inspection of the crime scene and surmised that the entry to the house was only possible if someone would open the door from the inside.³⁰ They also found a pair of shorts with bloodstains in Juare's room.³¹

Brgy. Chairman Tan and Baudin also recovered the umbrella and two knives from the house of Aguadilla.³² One of the knives, a kitchen

¹⁶ *Id.* at 18.

¹⁷ *Id.*

¹⁸ *Id.* at 18-19.

¹⁹ TSN, April 3, 2003, p. 3.

²⁰ *Id.*

²¹ *Id.* at 4.

²² *Id.*

²³ *Id.*

²⁴ *Id.* at 5.

²⁵ *Id.*

²⁶ TSN, August 6, 2002, p. 4.

²⁷ *Id.*

²⁸ *Id.*

²⁹ TSN, July 2, 2002, p. 6.

³⁰ *Id.* at 8.

³¹ *Id.* at 8-9.

³² TSN, May 6, 2004, pp. 4-11; TSN, August 6, 2002, p. 7.

knife which was identified by Teresita as belonging to her mother,³³ tested positive for the presence of human blood.³⁴

Dr. Marquez testified that the victim died of hemorrhagic shock due to multiple stab wounds.³⁵ The victim sustained eight stab wounds, six of which were fatal.³⁶ There were also hematomas, incised wounds, and lacerated wounds found on the victim's body which indicated that the victim struggled and resisted.³⁷

Teresita testified that she resided with her mother together with two house helpers, Baudin and Juare, in a three-storey building in Navotas. The first floor was the office of Abella Marine Supply Co.; the second floor was the residential area where the bedroom of the victim was located; and the third floor was where the penthouse, roof, and garden were located.³⁸ The house helpers stayed in a bodega on the ground floor.³⁹ Baudin was their caretaker for about 40 years, while Juare, who was recommended by Aguadilla, was their driver for about two months until he resigned.⁴⁰ Teresita testified that she was in Tagaytay during the incident, but attested that her mother's brown leather bag with ₱15,000.00 in cash and ₱500,000.00 worth of jewelry was missing.⁴¹ The manager of the bank where the victim had an account informed Teresita that a withdrawal of money was made on May 22, 2000, or days before the incident.⁴² Teresita explained that it had been their practice that every time her mother withdrew money from the bank, the bank manager would inform her of the transaction.⁴³ Teresita further explained that her mother kept and carried her jewelry in her bag because she lost ₱3,000,000.00 worth of jewelry two months before the incident.⁴⁴

Version of the Defense

Accused-appellants denied the accusations against them and raised the defense of *alibi*.

³³ See Sinumpaang Salaysay of Teresita C. Abella dated May 4, 2000, record, p. 4.

³⁴ See Medico-Legal Report No. S-092-02, *id.* at 261

³⁵ TSN, January 9, 2001, pp. 5-6.

³⁶ *Id.*

³⁷ *Id.*

³⁸ TSN, February 19, 2002, pp. 5-8, 11.

³⁹ *Id.* at 13.

⁴⁰ *Id.* at 13-14, 23.

⁴¹ *Id.* at 8-10.

⁴² *Id.* at 10.

⁴³ *Id.*

⁴⁴ *Id.* at 10, 17.

Juare, who was employed by the victim as stay-in worker in charge of washing the spare parts of boats/ships, testified that on May 23, 2000, he slept at around 10:00 p.m.⁴⁵ In the morning of May 24, 2000, while he was asleep at the victim's house, Baudin woke him up and asked if he locked the door of the office.⁴⁶ He responded in the affirmative and told Baudin that he returned the key to its place.⁴⁷ Only the two of them were in the house at that time.⁴⁸ Arnaldo arrived in the morning. He, Baudin, and Arnaldo waited for the victim to come downstairs because they were about to deliver some spare parts to Sulpicio Lines.⁴⁹ Baudin later went upstairs to check on the victim. Upon seeing that the door was closed, Baudin forcibly opened the door and saw the victim sprawled on the floor.⁵⁰ Baudin then shouted for help.⁵¹ Juare remained at the door to serve as guard, while Baudin and Arnaldo went out to seek assistance.⁵²

Juare admitted that only him and Baudin were in the house at the time of the incident, but he asserted that he was only being indicted because the prime suspect to the killing could not be found.⁵³

Aguadilla was employed as a reliever driver of the victim. He narrated that on the night of May 23, 2000, he went to the house of the victim that was only five minutes away from his house to watch television and play the game of chess with Baudin and Juare.⁵⁴ He went to the victim's place because he got bored in the hospital where his wife was confined.⁵⁵ Juare opened the door for him upon his arrival at the victim's house.⁵⁶ He left Baudin and Juare at around 8:00 or 9:00 p.m.⁵⁷ He admitted that he borrowed an umbrella because it was raining. He denied that he had any participation in the death of the victim, and maintained that he only learned about it from a newspaper vendor.⁵⁸

⁴⁵ TSN, April 29, 2013, pp. 7-9.

⁴⁶ *Id.* at 3.

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.* at 4.

⁵⁰ *Id.* at 5.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.* at 7.

⁵⁴ TSN, September 26, 2013, pp. 3-4, 8, 11.

⁵⁵ TSN, March 18, 2014, p. 3.

⁵⁶ *Id.* at 5.

⁵⁷ TSN, September 26, 2013, p. 5.

⁵⁸ *Id.* at 5-10.

The Ruling of the RTC

After trial, the RTC found Juare and Aguadilla guilty beyond reasonable doubt of the complex crime of Robbery with Homicide. The *fallo* of the RTC's Decision reads:

WHEREFORE, premises considered, the guilt of both accused Reynaldo Juare y Elisan and Danilo Aguadilla y Bacalocos having been proven beyond reasonable doubt for the crime of Robbery with Homicide each is hereby imposed the penalty of *reclusion perpetua*. Likewise, said accused Reynaldo Juare and Danilo Aguadilla are jointly and severally ordered to pay the heirs of the victim P50,000.00 as civil indemnity, P50,000.00 as moral damages and P315,000.00 as and by way of restitution of the stolen jewelries and monies of that amount or value.

SO ORDERED.⁵⁹

The RTC declared that there was no eyewitness to the robbing and killing of the victim. Nevertheless, it held that direct evidence is not the only matrix where the trial court may draw its conclusion, and circumstantial evidence may be the basis for a conviction.⁶⁰

The RTC ruled that there are circumstances that, taken together, proved the guilt of Juare and Aguadilla. The RTC ruled that these circumstances, in addition to the demeanor of Juare and Aguadilla during the trial, convinced the court that they were guilty beyond reasonable doubt of the crime charged. The RTC gave more weight to the circumstantial evidence over the mere defense of *alibi* and denial proffered by Juare and Aguadilla.

Juare and Aguadilla filed a Notice of Appeal.⁶¹

The Ruling of the CA

On July 4, 2017, the CA affirmed the RTC's Decision convicting Juare and Aguadilla for the crime of Robbery with Homicide but modified the award of damages consonant with recent jurisprudence.

⁵⁹ CA rollo, p. 65.

⁶⁰ *Id.* at 59.

⁶¹ *Id.* at 8.

In affirming Juare and Agudilla's conviction, the CA also appreciated the circumstantial evidence against them. It noted in particular the blood-stained knife that belonged to the victim that was recovered from the house of Agudilla and the blood-stained shorts that was recovered from Juare's room. Both items were discovered the morning after the incident and after the body of the victim was found. It likewise gave weight to Teresita's testimony that the three doors of the building can only be locked from the inside, and no one can enter it without being let in by somebody from the inside.⁶² It ruled that the RTC is in the best position to assess the credibility of the witnesses since it had the opportunity to observe first-hand their demeanor, conduct, and attitude when they testified in court.

The dispositive portion of the CA Decision reads:

WHEREFORE, in view of the foregoing, the appeal is hereby DISMISSED for lack of merit. The Decision October 23, 2014 rendered by the Regional Trial Court of the City of Malabon, Branch 170, in Criminal Case No. 22886-MN is AFFIRMED with MODIFICATION, in that accused-appellants are ordered to pay the heirs of the victim Adela Abella civil indemnity in the amount P75,000.00, moral damages in the amount of P75,000.00 and exemplary damages in the amount of P75,000.00 in addition to the actual damages.

SO ORDERED.⁶³

Unsatisfied with the CA's Decision, Juare and Agudilla are now before the Court through an appeal.

The parties adopted their respective Appellant's and Appellee's Briefs filed before the CA as their Supplemental Briefs before the Court.⁶⁴

The Issue

The primordial issue for the Court's resolution is whether the guilt of Juare and Agudilla for the complex crime of Robbery with Homicide has been proven beyond reasonable doubt.

⁶² *Id.* at 13.

⁶³ *Rollo*, p. 16.

⁶⁴ *Id.* at 25-27; 30-32.

The Ruling of the Court

The appeal must fail.

Time and again, this Court has deferred to the trial court's factual findings and evaluation of the credibility of witnesses, especially when affirmed by the CA, in the absence of any clear showing that the trial court overlooked or misconstrued cogent facts and circumstances that would justify altering or revising such findings and evaluation.⁶⁵ This is because the trial court's determination proceeds from its first-hand opportunity to observe the demeanor of the witnesses, their conduct and attitude under grilling examination, thereby placing the trial court in the unique position to assess the witnesses' credibility and to appreciate their truthfulness, honesty, and candor.⁶⁶ The RTC and the CA both relied on a number of circumstantial evidence against Juare and Aguadilla. This Court upholds the findings of both courts. As aptly ruled by the RTC:

Based on a careful examination and meticulous consideration of all the circumstantial evidence proffered by the Prosecution, this Court is of the considered opinion that the accused are responsible for robbing the victim as well as killing her. The combination of the circumstances alleged and proven is such as to prove a conviction beyond reasonable doubt.

x x x x

All in all, the testimonies of the Prosecution witnesses show a positive finding that indeed herein accused were in the very place where the crime happened. Particularly, in the case of accused Aguadilla his going to and entering the residence of the Abellas on the night of May 23, 2000 was unrebutted and in fact he admitted it when he testified for his own defense. But also Aguadilla's having gone home or out of the Abellas residence after 8:30 or 9:00 p.m (when their playing of chess and drinking of gin came to an end) or by 11:00 p.m (when witness Alfredo Tecson went home from the store of Roman Cruz- -which is just across the residence and/or business establishment of the Abellas), no one has ever testified to/on about it. To add to this was the discovery of the bloodied shorts in the morning of May 24, 2000, as well as one of the knives owned by the victim already tucked in the wall of the house of accused Aguadilla, also in the same morning of May 24, 2000.

⁶⁵ *People v. Sanota*, G.R. No. 233659, December 10, 2019. Citations omitted.

⁶⁶ *Id.*, citing *People v. Villacorta*, 672 Phil. 712, 719-720 (2011).

x x x When asked by the Court what was his reaction apart from being “surprised” upon hearing about the news that Mrs. Abella was robbed and killed, he simply said that he “really felt bad because of her loss or “nanghihinayang.”

During the presentation of the evidence for the Defense, the Undersigned Presiding Judge had closely observed the demeanor of both accused on the witness stand and it is his observation that both were definitely not telling the truth as they were evasive in their answers and were resorting to “palusot” instead of answering the simple questions with simple but forthright direct and candid answers.⁶⁷ (Italics supplied.)

The factual findings of the RTC were affirmed by the CA, thus:

The accused-appellants and prosecution witness Alfredo Baudin were all in agreement that at least between 6 PM to 9 PM of May 23, 2000, only the three of them were in the victim’s house aside from the victim herself. They were also in agreement, and supported by the ocular inspection of the police as well as the testimony of the victim’s daughter Teresita Abella, that the three doors of the building can only be locked from inside and that no one can enter without being let in by somebody inside. There was also an eyewitness in the person of Alfredo Tecson that accused-appellant Danilo Aguadilla did not leave the premises before 11 PM. We also note that he claimed to be home between 6 AM and 1:00 PM in the afternoon of May 24, 2000. These established and admitted facts only point to nothing else but that the perpetrator/s of the crime is/are among the people inside. However, aside from being at the scene of the crime, there were other circumstances that point to the accused-appellants as authors of the crime. A blood-stained pair of shorts were found by the police among the things of Accused-Appellant Renaldo Juare, which was unexplained by the latter. As for Accused-Appellant Danilo Aguadilla, the fact that the knife which belonged to the victim as claimed by the victim’s daughter was found in his house on the day of the crime was discovered, was also unrefuted.⁶⁸

The Court upholds the factual findings of the RTC as affirmed by the CA, and the conclusion that the testimonies of the prosecution witnesses are credible which must be taken into consideration than the incredible and unbelievable version of the accused-appellants. To stress, the assessment of the credibility of the witnesses and their testimonies is best undertaken by the trial court because of its unique opportunity to observe the witness first-hand and to note their demeanor, conduct, and attitude during examination.⁶⁹ The factual findings of the RTC,

⁶⁷ CA rollo, pp. 59-64.

⁶⁸ Rollo, pp. 14-15.

⁶⁹ *People v. Sanota*, supra note 65, citing *Planterus, Jr. v. People*, G.R. No. 238889, October 3, 2018.

therefore, are accorded the highest degree of respect especially if the CA adopted and confirmed these, unless some facts or circumstances of weight were overlooked, misapprehended or misinterpreted as to materially affect the disposition of the case.⁷⁰ In the absence of substantial reason to justify the reversal of the trial court's findings, assessment and conclusion, especially when affirmed by the appellate court, as when no significant facts and circumstances are shown to have been overlooked or disregarded, the Court generally affirms the trial court's findings.

The Court has ruled that in criminal cases, proof beyond reasonable doubt does not require absolute certainty of the fact that the accused committed the crime, and it does not likewise exclude the possibility of error;⁷¹ what is only required is that degree of proof which, after a scrutiny of the facts, produces in an unprejudiced mind moral certainty of the culpability of the accused.⁷²

Moreover, direct evidence of the commission of a crime is not the only basis on which a court draws its finding of guilt.⁷³ Established facts that form a chain of circumstances can lead the mind intuitively or impei a conscious process of reasoning towards a conviction.⁷⁴ The commission of a crime, the identity of the perpetrator, and the finding of guilt may all be established by circumstantial evidence.⁷⁵ In *Planteras, Jr. v. People*,⁷⁶ the Court expounded on the distinction between direct and circumstantial evidence, thus:

The difference between direct evidence and circumstantial evidence involves the relationship of the fact inferred to the facts that constitute the offense. Their difference does not relate to the probative value of the evidence.

Direct evidence proves a challenged fact without drawing any inference. Circumstantial evidence, on the other hand, "indirectly proves a fact in issue, such that the fact-finder must draw an inference or reason from circumstantial evidence."

⁷⁰ *Id.*, citing *People v. Macaspac*, 806 Phil. 285, 290 (2017).

⁷¹ *People v. Pentecostes*, 820 Phil. 825, 840 (2017), citing *People v. Tropa*, 424 Phil.783, 789 (2002).

⁷² *Id.*, citing *People v. Casitas, Jr.*, 445 Phil. 407, 420 (2003).

⁷³ *People v. Casitas, Jr.*, 445 Phil. 407, 417 (2003).

⁷⁴ *Id.*, citing *People v. Acaram*, 387 Phil. 142, 151 (2000).

⁷⁵ *Planteras, Jr. v. People*, G.R. No. 238889 October 3, 2018, citing *Cirera v. People*, 739 Phil. 25, 41 (2014) and *People v. Villaflores*, 685 Phil. 595, 615-617 (2012).

⁷⁶ *Id.*

The probative value of direct evidence is generally neither greater than nor superior to circumstantial evidence. The Rules of Court do not distinguish between “direct evidence of fact and evidence of circumstances from which the existence of a fact may be inferred.” The same quantum of evidence is still required. Courts must be convinced that the accused is guilty beyond reasonable doubt.

A number of circumstantial evidence may be so credible to establish a fact from which it may be inferred, beyond reasonable doubt, that the elements of a crime exist and that the accused is its perpetrator. There is no requirement in our jurisdiction that only direct evidence may convict. After all, evidence is always a matter of reasonable inference from any fact that may be proven by the prosecution provided the inference is logical and beyond reasonable doubt.⁷⁷

It is well-settled that in the absence of direct evidence, the courts could resort to circumstantial evidence to avoid setting felons free and deny proper protection to the community.⁷⁸ Circumstantial evidence consists of proof of collateral facts and circumstances from which the main fact in issue may be inferred based on reason and common experience.⁷⁹ An accused may be convicted on the basis of circumstantial evidence, provided the proven circumstances constitute an unbroken chain leading to one fair reasonable conclusion pointing to the accused, to the exclusion of all others, as the guilty person.⁸⁰ It is akin to a tapestry made up of strands which create a pattern when interwoven.⁸¹

Section 4, Rule 133 of the Rules of Court provides for the requisites that need to be established to sustain a conviction based on circumstantial evidence. The provision states:

SEC. 4. *Circumstantial evidence, when sufficient.* — Circumstantial evidence is sufficient for conviction if:

- (a) There is more than one circumstance;
- (b) The facts from which the inferences are derived are proven; and
- (c) The combination of all the circumstances is such as to produce a conviction beyond reasonable doubt.

⁷⁷ *Id.* Citations omitted.

⁷⁸ *People v. Asis*, 439 Phil. 707, 717 (2002), citing *People v. Felixminia*, 429 Phil. 309, 325 (2002) and *People v. Gallo*, 419 Phil. 937, 946 (2001).

⁷⁹ *People v. Cachuela*, 710 Phil. 728, 742 (2013).

⁸⁰ *People v. Asis*, *supra* note 78 at 718, citing *People v. Lobuguen*, 392 Phil. 268, 278-279 (2000).

⁸¹ *Id.*, citing *People v. Cabrera*, 311 Phil. 35, 38 (1995).

Thus, for the courts to consider circumstantial evidence, the following requisites must be present: (1) there must be more than one circumstance; (2) the facts from which inferences are derived were proven; and (3) the combination of all circumstances is such as to produce a conviction beyond reasonable doubt.⁸²

In convicting accused-appellants, the RTC found that the following circumstances in their entirety, all duly proven and consistent with each other, lead to the conclusion of their guilt:

Hereunder are the circumstances that proved that the herein accused Reynaldo Juare y Elisan and Danily Aguadilla y Bacalocos – and no other–have robbed and killed the victim:

1. Both accused Reynaldo Juare and Danilo Aguadilla are/were under the employ of the Abellas with the former (Reynaldo Juare) as a stay-in houseboy/helper and the latter (Danilo Aguadilla) was a driver of the Abellas for about three (3) months only reckoned to the day of the robbery and killing of the victim.
2. Also, both accused Juare and Aguadillo were in the know, that as of the time of the robbery (and killing of the victim) on the night of May 23, 2000 until the early morning of May 24, 2000, said victim had considerable and valuable jewelries because a month earlier she had been robbed already in her bedroom of some of her jewelries valued at P3,000,000.00, being then both employed by and at the victim's residence/business establishment.
3. Likewise, both accused Juare and Aguadilla are known to-if not close to-each other because it was the latter (Aguadilla) who recommended the former (Juare) to the Abellas to be hired as houseboy/helper.
4. On the night of May 23, 2000, both accused Reynaldo Juare (as a stay-in househelp) and Danilo Aguadilla who visited and entered the residence of the Abellas (as a former driver) were inside and stayed in the premises of the Abellas as they played chess and drank gin with the other house help/caretaker of the Abellas in the person of Alfredo Baudin

⁸² Section 4, Rule 133 of the Rules of Court.

5. In the same night of May 23, 2000, it was accused Reynaldo Juare who was tasked to close/secure the gates and/or entrances to the residential building of the Abellas as the other househelp/caretaker (Alfredo Baudin) was not feeling well.
6. In the morning of May 24, 2000, when PO2 Jose Jumaquio conducted an ocular inspection of the entire premises of the residential building of the Abellas, particularly the room or quarters occupied by accused Reynaldo Juare, a short pants stained with blood was found among the personal things or belongings of the latter (accused Reynaldo Juare).
7. Also, in the same morning at about lunchtime of May 24, 2000, when househelp/caretaker Alfredo Baudin went with Barangay Chairman Reynaldo Tan to the house of accused Danilo Aguadilla to retrieve the umbrella that the latter borrowed from the former (Alfredo Baudin), said Brgy. Chairman Tan retrieved or recovered a kitchen knife tucked to the wall of the Aguadilla's house - - - which knife was later identified as being owned by the victim (gifted to her by the latter's daughter who resided in the USA), as testified to by Teresita Abella.
8. Both accused Reynaldo Juare and Danilo Aguadilla were in dire need of financial resources because Juare was earning only his wages as a houseboy/helper while Aguadilla (though a driver) was earning only P2,500 a month and he was sending money to his family of five (5) in the Visayas every month to support/sustain the family's needs and weeks before the incident the wife of said accused Aguadilla needed a medical operation.
9. Finally, both accused Reynaldo Juare and Danilo Aguadilla are of questionable character and/or personal predisposition with accused Juare tagged as an "addict" and accused Aguadilla, a "problematic" guy with his family, particularly on financial matters.
10. Prosecution witnesses have no ill-motives to testify against the accused.⁸³

The combination of all of these circumstances convinces this Court that the accused-appellants are guilty beyond reasonable doubt. These circumstantial evidence, as proven by the prosecution, are sufficient proof of the accused appellants' guilt. Records reveal that

⁸³ CA rollo, pp. 60-62.

there are several circumstantial evidence surrounding the commission of the crime. Every circumstance and factual evidence from which inferences are derived were proven and supported by physical and testimonial evidence. And the combination of all these circumstances produced a conviction of the accused-appellants beyond reasonable doubt.

In *People v. Beriber*⁸⁴ (*Beriber*), the Court convicted the accused even though no direct testimony was presented by the prosecution to prove that the accused is the author of the crime of robbery with homicide since several circumstances, when taken together, constitute an unbroken chain of events enough to arrive at the conclusion that appellant was responsible for robbing and killing the victim. In *Beriber* the Court considered as sufficient to convict the accused the following circumstantial evidence:

x x x 1. accused was at the *locus criminis* at around the time of the stabbing incident; 2. witnesses testified seeing him at the scene of the crime going in and going out of the house of the victim at the time of the perpetration of the crime; 3. accused, in his own admission mentioned that he was going to Batangas for medical treatment, however, when the policemen, together with the Barangay Chairman went to Talisay, Batangas where he lives, he was nowhere to be found; 4. immediately after the incident, the witnesses and the offended party noticed that all his clothes kept underneath the bamboo bed where the victim was found sprouted with blood were all gone because he took everything with him although his intention was merely for medical treatment in Batangas; 5. he mentioned that he was then still waiting for Kuya Henry, husband of Lourdes, when he had already a talk with Henry Vergara that he will go to Batangas for medical treatment that did not materialize; 6. after the killing incident, accused simply disappeared and did not return anymore; 7. when he was confronted by Henry Vergara concerning the killing, he could not talk to extricate himself from the accusation; and 8. that he has been using several aliases to hide his true identity.⁸⁵

In *Beriber*, the witnesses only saw the accused at the scene of the crime at the time of the commission of the crime, but they did not see him actually robbed and killed the victim. However, the Court considered several circumstances as sufficient proof of the guilt of the accused and eventually convicted him.

⁸⁴ 693 Phil. 629 (2012).

⁸⁵ *Id.* at 638-639.

In another case, the Court considered as one of the material circumstantial evidence the human blood stains on the front door of the appellant's house, on his clothing, and on his yellow slippers. The pieces of circumstantial evidence were discovered by the police only after three days from the commission of the crime. The Court considered these circumstantial evidence coupled with other factual evidence sufficient to convict the accused.⁸⁶

In the case at bench, the unbroken chain of the pieces of circumstantial evidence led to one fair reasonable conclusion pointing to the accused-appellants, to the exclusion of all others, as the guilty persons. The accused-appellants were the only persons seen to be present in the victim's house on that fateful night. Agudilla admitted that he was able to enter the premises because Juare opened the door for him. This circumstance is coupled with the fact that a bloodied shorts was found in Juare's possession and a blood-stained kitchen knife, owned by the victim, was found in Agudilla's possession after the commission of the crime. In the absence of substantial explanation from the accused-appellants how and why they possessed these incriminating evidence, these facts should be considered circumstantial evidence connected with the commission of the crime and consistent with the accused-appellants' guilt. These interwoven facts produces in an unprejudiced mind moral certainty of the accused-appellants' culpability. Thus, from these circumstances, the prosecution was able to prove all the elements of the special complex crime of Robbery with Homicide.

The complex crime of Robbery with Homicide is specially defined and penalized under Article 294(1) of the Revised Penal Code, viz.:

ART. 294. *Robbery with violence against or intimidation of persons — Penalties.* — Any person guilty of robbery with the use of violence against or intimidation of any person shall suffer:

1. The penalty of *reclusion perpetua* to death, when by reason or on occasion of the robbery, the crime of homicide shall have been committed.

x x x x

It requires the following elements: (1) taking of personal property is committed with violence or intimidation against persons; (2) the property taken belongs to another; (3) the taking is with *anima lucrandi*;

⁸⁶ See *People v. Salas*, 384 Phil. 54 (2000).

and (4) by reason of the robbery, or on the occasion thereof, homicide is committed.⁸⁷ A conviction for robbery with homicide requires certitude that the robbery is the main purpose and objective of the malefactor, and the killing is merely incidental to the robbery.⁸⁸ The intent to rob must precede the taking of human life but the killing may occur before, during or after the robbery.⁸⁹

When the victim's body was discovered, her room was in disarray. Her daughter, Teresita, testified that her mother's bag containing cash and jewelry was missing.⁹⁰ This Court upholds, as ruled by the trial court and the CA, the credibility of Teresita's claim as the victim was engaged in a Marine Supply business, thus, it is logical that she had money or personal properties on her. The missing bag containing money and jewelry coupled with the fact that the victim's room was in disarray is a proof that somebody took the victim's personal properties. And that somebody has the clear intention to rob the victim.

Intent to rob, may be inferred from proof of violent and unlawful taking of the victim's property.⁹¹ Here, evidence reveals that the victim struggled to defend her life and property at the time of the commission of the crime as indicated by the locations of the stab wounds she suffered, scattered pieces of broken vases and disarrayed personal properties inside the room. Evidently, there was violent and forcible taking of the victim's personal properties.

When the fact of asportation has been established beyond reasonable doubt, conviction of the accused is justified even if the property subject of the robbery is not presented in court.⁹² After all, the property stolen may have been abandoned or thrown away and destroyed by the robber or recovered by the owner.⁹³ It is likewise, immaterial that the robber knows the exact value of the thing taken. It is not required for the prosecution to prove the actual value of the thing stolen as the motivation to rob exists regardless of the amount or value involved.⁹⁴

⁸⁷ *People v. Mancoo*, G.R. No. 228951, July 17, 2019.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ TSN, February 9, 2002 pp. 7-8, 10-11, 20-22.

⁹¹ *People v. Madrotejos*, 828 Phil. 732, 738 (2018), citing *People v. Ebei*, 649 Phil. 131, 139 (2010).

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Id.*

It is a given fact that there was no eyewitness to the actual killing of the victim. To reiterate, direct evidence of the commission of the crime is not the only basis from which a court may draw its conclusion.⁹⁵ In this case, the totality of the circumstantial evidence presented by the prosecution proved beyond reasonable doubt that the accused-appellants robbed the victim and on the occasion thereof, the latter was killed. All of the circumstances proved were consistent with each other, consistent with the hypothesis that the accused-appellants (and no other) are guilty, and at the same time inconsistent with the hypothesis that they are innocent.

The prosecution established the following: that at least between 6:00 p.m. to 9:00 p.m. of May 23, 2000, aside from the victim herself, only three persons (Juare, Aguadilla and Baudin) were in the victim's house; the three doors of the building can only be locked from inside and that no one can enter without being let in by somebody inside; among the three persons present on that fateful night, it was Juare who was tasked to lock the doors as Baudin was indisposed; hence, Baudin left the premises; per testimony of Tecson, he saw Aguadilla enter the victim's house through the accordion door at around 9:00 p.m. and he never saw Aguadilla come out from the premises; Aguadilla himself admitted that he entered the victim's house on that fateful night and it was Juare who opened the door for him; and Aguadilla's allegation that he left the premises at around 9:00 p.m. because it was raining was not uncorroborated. The established circumstantial facts point to nothing else than the conclusion that the perpetrators of the crime are the accused-appellants. Evidently, they were the only persons who were in the very place where the crime happened.

In addition, a blood-stained shorts was found by the police among the things of Juare, which was unexplained by the latter. Although, the blood-stained shorts was not marked in evidence at the onset of the trial, it was included in the Serology Report No. S-1019-00 of prosecution witness Dr. Jose Arnel Marquez and marked as RDS-2, thus:

ATTY. BARIAS: DIRECT EXAMINATION

X X X X

⁹⁵ *People v. Casitas, Jr.*, *supra* note 73.

Q: Mr. Witness, in connection with your work as medico-legal officer, do you remember having been referred to your office by the SOCO four (4) specimen, which are as follows:

One (1) pc. pillow case color yellow marked RDS-1
One (1) pc. printed short marked RDS-2
One (1) pc. t-shirt color dark blue REEBOK RDS-3
Pieces of broken flower base
in connection with this case?

A: Yes sir.

Q: What kind of examination did you perform Mr. Witness?

A: Serology examination sir.

Q: Did you prepare a report in your examination of the request of SOCO in connection with this case?

A: Yes sir.

Q: May we have it then?

A: Here sir.

ATTY. BARIAS

At this juncture Your Honor, may we request that Serology Report No. S-1019-00 be marked in evidence as Exhibit "S" as in sugar, and we request that the photocopy be instead marked after comparison has been made by the defense Your Honor.

COURT

Why, where will you bring the original? The original can be marked, why do you have to keep the original?

ATTY. BARIAS

Because there are other cases wherein we will use this Your Honor.

COURT

Show it counsel.

ATTY. TAN

The photocopy is the faithful reproduction of the original Your Honor.

COURT

Mark it.

ATTY. BARIAS

Q: Based on this report Mr. Witness, it was made to appear for your findings, which we would like to quote as follows: Specimen "A", "B", "C" and "D" gave positive results to the test for the presence of human blood; Specimen "C" gave negative result to the test of human blood; and Specimens "A" and "D" revealed that blood stains belong to human blood", which we request that the quoted portion be bracketed and marked as Exhibit "S-1" Your Honor.

COURT

Mark it.

ATTY. BARIAS

Q: What is your conclusion in connection with this findings of yours?

A: My conclusion is that Specimen "A", "B", and "D" reveal presence of human blood; Specimens "A" and "D" reveals human blood, group "O", and Specimen "C" absence of blood sir.⁹⁶

Added to this, the blood-stained kitchen knife was found in the house of Aguadilla when Baudin and the authorities went therein to retrieve the umbrella borrowed by Aguadilla on that fateful night.⁹⁷ The knife belonged to the victim as claimed by her daughter. Notably, Aguadilla's possession of the subject knife was also unrefuted; he offered no substantial explanation on how he had in his house the bloodied knife with human blood on it.

Furthermore, the Court cannot subscribe to the accused-appellants defense of denial and alibi. Their defense is weak and self-serving. To Juare, the accusations were all lies, but when asked why they were

⁹⁶ TSN, January 27, 2005, pp. 5-6.

⁹⁷ TSN, May 6, 2004, pp. 10-11. TSN, May 6, 2003, pp. 4-5.

indicted all that he can muster was to say “maybe they could not find the prime suspect that is why we were the ones charged in this case.” The same goes for Aguadilla, he simply said that he really felt bad for the victim’s loss or “*nanghihinayang*.” No other explanation was offered by both accused-appellants, especially regarding their respective possessions of the bloodied shorts and kitchen knife.

It is also worthy to note that during the presentation of the evidence for the defense, the trial court judge had closely observed the demeanor of both accused-appellants and he noticed that they were definitely not telling the truth as they were evasive and were offering plain alibis instead of answering the simple questions with simple and candid answers.⁹⁸

Alibi and denial, if not substantiated by clear and convincing evidence, are negative and self-serving evidence undeserving of weight in law.⁹⁹ In this jurisdiction, we are replete of cases pronouncing that denial and alibi are inherently weak defenses because they can easily be fabricated.¹⁰⁰ The accused-appellants’ plain alibi cannot be accorded evidentiary weight than the positive declaration of credible witnesses. Their denial and alibi are not enough to convince this Court that they were falsely charged.

Finally, absent any evidence showing any reason or motive for prosecution witnesses to perjure, the logical conclusion is that no such improper motive exists, and their testimonies are worthy of full faith and credit.¹⁰¹ There is nothing in the records to show that the prosecution witnesses harbored any ill-will against the accused-appellants. Neither did they have any reason to fabricate statements that could deprive the innocents of their freedom. As for the testimony of Teresita, the victim’s daughter, it would be unnatural for her to implicate someone other than the real culprit lest the guilty go unpunished. The earnest desire to seek justice for a dead kin is not served should the witness abandon his conscience and prudence to blame one who is innocent of the crime.¹⁰² Clearly, in testifying against the accused-appellants, the prosecution witnesses were solely impelled to bring justice to the victim.

⁹⁸ RTC Decision, pp. 14-15.

⁹⁹ *Id.*

¹⁰⁰ *People v. Mancao*, *supra* note 87, citing *People v. Ambatang*, 808 Phil. 236, 243 (2017).

¹⁰¹ *People v. Vibal, Jr.*, G.R. No. 229678, June 20, 2018, 867 SCRA 370, 391, citing *People v. Lucero*, 659 Phil. 518, 540 (2011).

¹⁰² *People v. Solar*, G.R. No. 225595, August 6, 2019.

All told, the CA did not err in affirming the trial court's verdict of conviction. Absent any modifying circumstances, the penalty of *reclusion perpetua* was properly imposed.

As for the monetary awards, the Court sustains the grant of ₱75,000.00 as civil indemnity and ₱75,000.00 as moral damages and ₱75,000.00 as exemplary damages in accordance with the prevailing jurisprudence.¹⁰³ However, the award of actual damages in the amount of ₱315,000.00 shall be deleted for failure of the prosecution to substantiate the actual value of the lost personal properties of the victim. No receipts or any documentary proof supporting the value of the jewelries or the amount of the lost money were presented by the heirs of the victim. In lieu of actual damages, this Court awards ₱50,000.00 to the heirs of the victim as temperate damages since it was proven that personal properties were lost although their exact value cannot be determined. These amounts shall earn 6% *per annum* from finality of this Decision until fully paid.

WHEREFORE, the appeal of accused-appellant Reynaldo Juare y Elisan is **DISMISSED**. The Decision dated July 4, 2017 of the Court of Appeals in CA-G.R. CR-HC No. 08369 with respect to accused-appellant Reynaldo Juare y Elisan is **AFFIRMED with MODIFICATION** in that he is ordered to pay the heirs of the victim ₱75,000.00 civil indemnity; ₱75,000.00 moral damages; ₱75,000.00 as exemplary damages; and ₱50,000.00 as temperate damages in lieu of actual damages. These amounts shall earn an interest of 6% *per annum* from finality of this Decision until fully paid.

With respect to accused-appellant Danilo Aguadilla y Bacalocos, the appealed Decision is **SET ASIDE** and this criminal case is **DISMISSED**, by reason of his death during the pendency of his appeal.¹⁰⁴

Let entry of judgment be issued.


¹⁰³ *People v. Jugueta*, 783 Phil. 806 (2016).


¹⁰⁴ In a letter dated December 10, 2019, Jaime P. Batuyog Jr., Jail Inspector, Acting Superintendent, NBP, Muntinlupa City informed this Court that accused-appellant Danilo Aguadilla y Bacalocos died on March 10, 2015 at NBP Hospital per attached certified true copy of the Certificate of Death of Aguadilla.

SO ORDERED.


HENRI JEAN PAUL B. INTING
Associate Justice

WE CONCUR:


ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson

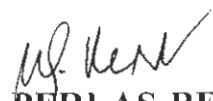

RAMON PAUL L. HERNANDO
Associate Justice


EDGARDO L. DELOS SANTOS
Associate Justice

(On leave)
SAMUEL H. GAERLAN
Associate Justice

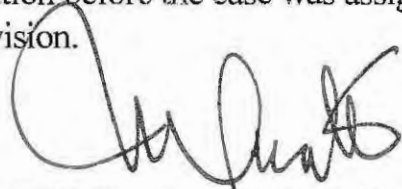
ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



DIOSDADO M. PERALTA
Chief Justice

