

## SECOND DIVISION

[ G.R. No. 234519, June 22, 2020 ]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.  
REYNALDO JUARE Y ELISAN AND DANILO AGUADILLA Y  
BACALOCOS, ACCUSED-APPELLANTS.**

### DECISION

**INTING, J.:**

Before the Court is an appeal<sup>[1]</sup> from the Decision<sup>[2]</sup> dated July 4, 2017 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08369 which affirmed the Decision<sup>[3]</sup> dated October 23, 2014 of Branch 170, Regional Trial Court (RTC), City of Malabon in Criminal Case No. 22886-MN. 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 Information<sup>[4]</sup> which reads, as follows:

That on or about the 24<sup>th</sup> 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 P15,000.00 and assorted jewelries worth P300,000.00 owned and belonging to ADELA ABELLA Y DE CASTRO, to the damage and prejudice of the complainant in the total amount of P315,000.00; 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.<sup>[5]</sup>

At the arraignment on September 14, 2000, Juare and Aguadilla pleaded not guilty to the charge.<sup>[6]</sup>

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 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.<sup>[7]</sup> Tecson left the store at around 11:00 p.m., but he never saw Aguadilla come out from the victim's house.<sup>[8]</sup>

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.<sup>[9]</sup> 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.<sup>[10]</sup> Aguadilla told them that he also wanted to go home, borrowed an umbrella, and went inside the warehouse to get one.<sup>[11]</sup> Baudin did not see Aguadilla leave the premises.<sup>[12]</sup> 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.<sup>[13]</sup> Baudin testified that Aguadilla's wife Nita, who needed some medicines, arrived and passed through the back of the building.<sup>[14]</sup> Nita also asked Baudin to call a pedicab for her.<sup>[15]</sup>

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

Arnaldo arrived at the victim's place at around 7:30 a.m. of May 24, 2000.<sup>[19]</sup> He was with Juare and Baudin.<sup>[20]</sup> At around 8:30 a.m., Baudin asked Arnaldo to go upstairs and wake up his grandmother.<sup>[21]</sup> Upon opening the bedroom door, Arnaldo saw the victim sprawled on the floor with blood on her right temple.<sup>[22]</sup> The room was also in disarray, with broken glasses and vases everywhere.<sup>[23]</sup> Arnaldo went

downstairs and told Baudin and Juare about the situation.<sup>[24]</sup> He then summoned his neighbors and the *barangay* officials to report the incident, while Baudin and Juare proceeded upstairs.<sup>[25]</sup>

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.<sup>[26]</sup> He immediately ordered his *barangay* tanod to seek medical assistance, but the doctor who responded pronounced the victim dead.<sup>[27]</sup> Brgy. Chairman Tan likewise called for police assistance.<sup>[28]</sup> PO2 Jumaquio and PO3 Charlie Bontigao proceeded to the crime scene and also saw the lifeless body of the victim.<sup>[29]</sup> 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.<sup>[30]</sup> They also found a pair of shorts with bloodstains in Juare's room.<sup>[31]</sup>

Brgy. Chairman Tan and Baudin also recovered the umbrella and two knives from the house of Aguadilla.<sup>[32]</sup> One of the knives, a kitchen knife which was identified by Teresita as belonging to her mother,<sup>[33]</sup> tested positive for the presence of human blood.<sup>[34]</sup>

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

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.<sup>[38]</sup> The house helpers stayed in a bodega on the ground floor.<sup>[39]</sup> 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.<sup>[40]</sup> Teresita testified that she was in Tagaytay during the incident, but attested that her mother's brown leather bag with P15,000.00 in cash and P500,000.00 worth of jewelry was missing.<sup>[41]</sup> 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.<sup>[42]</sup> 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.<sup>[43]</sup> Teresita further explained that her mother kept and carried her jewelry in her bag because she lost P3,000,000.00 worth of jewelry two months before the incident.<sup>[44]</sup>

#### *Version of the Defense*

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

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.<sup>[45]</sup> 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.<sup>[46]</sup> He responded in the affirmative and told Baudin that he returned the key to its place.<sup>[47]</sup> Only the two of them were in the house at that time.<sup>[48]</sup> 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.<sup>[49]</sup> 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.<sup>[50]</sup> Baudin then shouted for help.<sup>[51]</sup> Juare remained at the door to serve as guard, while Baudin and Arnaldo went out to seek assistance.<sup>[52]</sup>

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.<sup>[53]</sup>

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.<sup>[54]</sup> He went to the victim's place because he got bored in the hospital where his wife was confined.<sup>[55]</sup> Juare opened the door for him upon his arrival at the victim's house.<sup>[56]</sup> He left Baudin and Juare at around 8:00 or 9:00 p.m.<sup>[57]</sup> 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.<sup>[58]</sup>

### *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.<sup>[59]</sup>

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.<sup>[60]</sup>

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.<sup>[61]</sup>

### *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.

In affirming Juare and Aguadilla'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 Aguadilla 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.<sup>[62]</sup> 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.<sup>[63]</sup>

Unsatisfied with the CA's Decision, Juare and Aguadilla 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.<sup>[64]</sup>

### *The Issue*

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

### *The Ruling of the Court*

The appeal must fail.