

Title: People of the Philippines v. Nestor Bendecio y Viejo alias “Tan”

Facts:

On December 24, 2011, in Muntinlupa City, Philippines, Nestor Bendecio y Viejo, also known as “Tan,” was charged with the complex crime of attempted murder with murder following an incident that resulted in the death of a 7-year-old Jonabelle Marasigan and the attempted murder of Gerry Marasigan. The accused allegedly fired a gun intended for Gerry Marasigan but missed, hitting Jonabelle and Gerry’s sister, Princess Marasigan, instead.

Upon arraignment, the accused pleaded not guilty, leading to a trial where Gerry Marasigan and Princess Marasigan testified for the prosecution, asserting details of the shooting that implicated the accused. On the contrary, Bendecio presented a defense of denial and alibi, claiming he was in Samar at the time of the incident and failed to understand why he was implicated in the shooting.

The Regional Trial Court of Muntinlupa City found Bendecio guilty of the charged complex crime, recognizing the credibility of the prosecution’s witnesses. Despite his appeal, the Court of Appeals affirmed the conviction, with modification, sentencing Bendecio to reclusion perpetua for the complex crime of attempted murder with murder.

Issues:

1. Whether the testimonies of prosecution witnesses, considering one was allegedly intoxicated and another was a blood relative, were credible.
2. Whether the Court of Appeals erred in affirming the conviction of the appellant for the complex crime of attempted murder with murder.
3. Whether the principle of *aberratio ictus* applies, making the appellant liable for the unintended killing of Jonabelle Marasigan.

Court’s Decision:

The Supreme Court dismissed Bendecio’s appeal and affirmed the Court of Appeals’ decision. The Court recognized the credibility of eyewitness testimonies from Gerry and Princess Marasigan despite challenges presented by the defense, such as alleged intoxication and familial relations, which were deemed insufficient to discredit their account. The principle of *aberratio ictus* was upheld, attributing liability to Bendecio for Jonabelle’s death as a direct consequence of his felonious act intended for Gerry Marasigan. Treachery was identified as a qualifying circumstance due to the sudden and unforeseen attack, leading to the affirmation of the complex crime of attempted murder with murder.

The imposition of reclusion perpetua was based on the severity of murder among the committed crimes, in line with the proscription against the death penalty pursuant to RA 9346.

**Doctrine:**

This case reiterates the principle of *aberratio ictus*, where an unintended victim is injured or killed as a direct consequence of an intended felonious act, holding the perpetrator criminally liable for all resultant crimes. Furthermore, it highlights that treachery can qualify an attack as murder when the mode of execution ensures the perpetrator's safety from any defensive or retaliatory actions by the victim, regardless of the actual target.

**Class Notes:**

- Eyewitness Testimony: The credibility of witnesses can be challenged but overwhelming evidence or lack thereof to discredit their account is pivotal for the defense.
- *Aberratio Ictus*: A legal principle ensuring liability for unintended consequences of intended criminal acts.
- Treachery: A qualifying circumstance for murder when the offender employs means ensuring their safety from the victim's defense.
- Complex Crime: Occurs when a single act constitutes two or more grave offenses; the penalty for the most severe crime is applied in its maximum period.
- Legal statutes: Article 248 (Murder), Article 4 (Criminal Liability), and Article 6 (Attempted Felonies) of the Revised Penal Code; Republic Act No. 9346 prohibiting death penalty imposition.

**Historical Background:**

The decision in this case emerges against the backdrop of a judicial framework that prohibits the death penalty (RA 9346) and emphasizes strict liability for unintended outcomes of criminal acts. The affirmation of treachery in *aberratio ictus* cases further solidifies jurisprudence on the qualification of murder and highlights the Supreme Court's commitment to justice for victims of violent crimes, including unintended ones, within the Philippine legal system.