

### Title: People of the Philippines v. Abraham Lim, et al.

### Facts:

On July 2, 1966, in Davao, several accused, including Abraham Lim and associates, committed a sequence of heinous crimes involving robbery in band, arson, and robbery with homicide and physical injuries. Initially robbing Gorgonio Mosende at gunpoint, they then attacked the neighboring house of George Kalitas, resulting in Kalitas' death, injuries to others, and the burning down of the residence.

The accused used a light green Buick Electra as their getaway vehicle, which was later sighted near the crime scenes. Following investigations and tip-offs, authorities apprehended the suspects in various locations in Davao City between July 3 and 4, 1966. Recoveries included firearms, ammunition, and the vehicle used during the criminal activities.

Charged in the Court of First Instance of Davao, the defendants denied the allegations or claimed alibi, except for Abraham Lim. The trial court found Abraham Lim, Ceferino Caturan, Edgar Señeres, Romualdo Raboy, Angel Dy, Eugene Ruslin, and Saturnino Galliano guilty, dismissing the defenses of alibi and denial as unfounded against substantial evidence from the prosecution.

### Issues:

1. Whether the accused were the perpetrators of the crimes charged.
2. The credibility of defense versus prosecution witnesses.
3. Assessment of the aggravating circumstances presented by the prosecution.
4. The proper imposable penalties for the crimes committed.
5. Whether the accused were rightly tried in their absence for portions of the trial.
6. The determination of the amount of indemnity due to the heirs of George Kalitas.

### Court's Decision:

The Supreme Court affirmed the decision of the trial court with modifications regarding the penalties and indemnities. The Court held the accused guilty, emphasizing the implausibility of their defenses and the strong identification by witnesses. The decision dissected each claim and defense, ultimately deeming them insufficient to overturn the lower court's findings.

### Doctrine:

- The doctrine established pertains to the indivisibility of crimes committed through a single

criminal resolution but resulting in separate and distinct offenses. Each act constituting a different crime must be separately penalized.

- Testimonies of eye witnesses, when found credible and straightforward, considerably outweigh defenses of denial and alibi.

### ### Class Notes:

1. **Robbery in Band:** Occurs when more than three armed persons committed the act. The use of unlicensed firearms increases the penalty.
2. **Arson:** Deliberately setting fire to property—penalized more severely when resulting in death or physical injuries.
3. **Robbery with Homicide and Physical Injuries:** A composite crime where robbery results in death and/or injury, warranting maximum penalties.
4. **Credibility of Witnesses:** A key determinant in the outcome, where coherent, consistent testimonies against a backdrop of physical evidence can substantiate guilt beyond reasonable doubt.
5. **Aggravating Circumstances:** Factors like nighttime, dwelling, use of motor vehicle, and aid of armed men, which can enhance the gravity of the crimes and the penalties.
6. **Right to Trial:** Even in the accused's unjustified absence, the trial may proceed if it is deemed they have forsaken their right to be present.

### ### Historical Background:

This case underlines the judicial process in ensuring justice for complex crimes involving multiple accused and the importance of decisive evidence and witness testimony in securing convictions. It reflects the procedural rigor and substantive considerations in adjudicating crimes that deeply impact community sense of security and trust in the legal system.