

Title: People of the Philippines vs. Ernesto Velasco

Facts:

The case commenced from an incident that took place on April 4, 1952, in Bacolod City, where a group led by Ernesto Velasco committed robbery with homicide at the house of Marcelino Buenafe. Initially charged along with seven others, Ernesto Velasco, Diosdado Velasco, Nicanor Dizon, and Federico Bautista were the ones who stood trial. Following a series of events involving the planning and execution of the robbery, the culminating point was the murder of Marcelino Buenafe. The evidence presented showed that Ernesto Velasco played a central role in orchestrating the crime, including leading the group to Buenafe's house under false pretenses, ordering the victim to be hogtied, and ultimately, the fatal shooting of Buenafe. Federico Bautista was acquitted, while Diosdado Velasco and Nicanor Dizon received lighter sentences for their participation in the robbery aspect alone.

The procedural journey to the Supreme Court involved Ernesto Velasco appealing his conviction by the Court of First Instance of Negros Occidental, which had found him guilty of robbery with homicide, sentencing him to life imprisonment. The appeal focused on challenging the lower court's finding regarding who was responsible for the death of Buenafe.

Issues:

1. Whether Ernesto Velasco was responsible for the homicide of Marcelino Buenafe.
2. The credibility of witnesses and their testimonies, especially considering their relationship to the appellant and each other.
3. The evaluation of aggravating and mitigating circumstances in determining the appropriate sentence for the crime committed.

Court's Decision:

The Supreme Court thoroughly reviewed the evidence and testimonies, affirming the lower court's judgment that Ernesto Velasco was indeed the perpetrator of the homicide. The decision was significantly influenced by Velasco's dominant role in the crime, as evidenced by his directives during the incident and his possession of the firearm used in the homicide. The Court found the testimony of Federico Bautista, despite his acquittal, credible in pinpointing Velasco as the person last seen with the weapon and as the group's leader. Velasco's appeal was dismissed, affirming his sentence to life imprisonment, but due to lack of sufficient votes, the death penalty was not imposed despite being warranted by the circumstances.

Doctrine:

The case reiterates the principle of command responsibility and direct participation in a crime, particularly in instances where there is concerted effort among perpetrators. It also demonstrates the significance of aggravating circumstances (nocturnity, abuse of superior strength, age of the victim, and treachery) in elevating the penalty associated with a crime, although in this case, the maximum penalty could not be applied.

Class Notes:

- **Hierarchy of Command in Criminal Conspiracy**: Ernesto Velasco's role as the leader, giving directives to co-accused, underscores the principle that the leader in a concerted criminal effort bears significant responsibility for the actions within the group.
- **Aggravating Circumstances Affecting Penal Responsibility**: The presence of multiple aggravating circumstances without sufficient mitigating factors justifies imposing the higher range of penalties prescribed by law.
- **Importance of Credible Testimony**: The dynamics within a group involved in criminal activities, especially the relationship between co-accused, plays a crucial role in assessing the credibility of testimonies and determining guilt.
- **Legal Statute**: Article 294, No. 1, of the Revised Penal Code on robbery with homicide, discussing the appropriate sentencing guidelines and factors influencing penalty decisions.

Historical Background:

The context of this case reflects the judicial processes within the Philippines, emphasizing the standard of evidence required to convict individuals in criminal cases, especially those involving grave offenses such as homicide. It illustrates the role of the Supreme Court in reviewing lower court decisions and the importance of aggravating and mitigating circumstances in determining final sentences.