

Title:

Clemente Laceste vs. Paulino Santos (Director of Prisons)

Facts:

Clemente Laceste, along with Nicolas Lachica, was prosecuted and found guilty of rape committed against Magdalena de Ocampo. However, a significant turn of events occurred when Lachica married the victim. This marriage led to Lachica's relief from criminal prosecution based on section 2 of Act No. 1773 and article 448 of the Penal Code at that time, which stated that such a marriage extinguished penal liability. Despite this, Laceste continued serving his sentence as his situation was unaffected by the marriage.

Laceste filed a petition for habeas corpus, arguing for his release based on the last paragraph of Article 344 of the Revised Penal Code, which had come into effect at the start of the said year. This provision extended the extinguishment of criminal action or the remittance of penalty imposed not only to the offender upon marriage to the offended party but also to co-principals, accomplices, and accessories after the fact of the crimes including rape. The Attorney-General endorsed Laceste's petition, aligning with the retroactive application of penal laws favoring the person guilty of a felony.

Issues:

1. Whether the last paragraph of Article 344 of the Revised Penal Code, providing for the extinguishment of criminal action or remittance of penalty upon the marriage of the offender with the offended party, retroactively applies to Laceste's case.
2. If so, whether Laceste is entitled to immediate release from imprisonment.

Court's Decision:

The Supreme Court ruled in favor of Laceste, granting his petition for habeas corpus based on the retroactive effect of penal laws as stipulated in Article 22 of the Revised Penal Code. The Court highlighted the principle that penal laws have a retroactive effect insofar as they favor the person guilty of a felony who is not a habitual criminal. Given Laceste's situation fits within the specific provisions of Article 344 of the Revised Penal Code concerning the effects of the marriage of the offender to the victim, the Court determined that Laceste is entitled to his liberty. The decision was unanimous among the justices.

Doctrine:

- **Retroactivity of Penal Laws**: Penal laws shall have a retroactive effect insofar as they favor the person guilty of a felony, who is not a habitual criminal, even if at the time of the

publication of such laws a final sentence has been pronounced and the convict is serving the same.

Class Notes:

- ****Retroactivity Principle****: Penal laws are generally prospective; however, they are retroactive if they favor the person guilty of a felony, provided the person is not a habitual criminal (Article 22, Revised Penal Code).
- ****Marriage Exemption****: The marriage of the offender with the offended party in cases of seduction, abduction, acts of lasciviousness, and rape extinguishes the criminal action or remits the penalty already imposed upon the offender as well as the co-principals, accomplices, and accessories (Article 344, Revised Penal Code).

Historical Background:

The principle of penal laws having retroactive effect to benefit the person guilty of a felony, provided they are not habitual criminals, has been an exception to the general rule against the retroactive application of laws. This exception is deeply rooted in sentiments of humanity and has been carried over into the Revised Penal Code from as far back as when the Penal Code took effect in the Philippines in 1884. The case of *Clemente Laceste vs. Paulino Santos* demonstrates the application of this principle, expanding the scope of marriage extinguishing penal responsibility to include not just the principal offenders but also co-principals, accomplices, and accessories, aligning with evolving legal standards and humanitarian considerations.