

Title: People of the Philippines v. Apolonio Obngayan

Facts:

On March 10, 1967, in Barrio Manosa, Villaviciosa, Abra, Pedro Bagay was shot by Apolonio Obngayan while loading palay with his wife, Alingan Bagay. Alingan witnessed Obngayan, standing 30 meters away, shoot her husband. Despite immediate medical attention, Pedro Bagay succumbed to his injuries the following day. Based on Alingan's testimony and Pedro's ante mortem statement identifying Obngayan as the shooter, the Villaviciosa Municipal Court filed a murder complaint against Apolonio Obngayan and two others on March 14, 1967. Following the preliminary investigation, where the accused waived their rights and pleaded not guilty, the Provincial Fiscal charged them with murder on July 6, 1967. At the trial, Obngayan's defense was alibi, which the trial court found unconvincing, leading to his conviction while acquitting the co-accused. Obngayan appealed, questioning the preliminary investigation's validity, the trial judge's impartiality, and the credibility of the witnesses and the evidence against him.

Issues:

1. Whether the conduct of the preliminary investigation was marred with irregularities affecting its validity.
2. Whether the trial judge demonstrated palpable bias through his questioning, infringing upon the impartiality of the trial.
3. Whether the trial court erred in valuing the ante mortem statement and eyewitness testimony over the defendant's alibi.
4. Whether the dying declaration (ante mortem statement) admitted as evidence satisfies the legal requirements for admissibility.

Court's Decision:

1. ****Preliminary Investigation****: The Court rejected the claim of irregularities, stating that by pleading not guilty and not contesting the preliminary investigation's validity at trial, Obngayan had waived any right to challenge it on appeal.
2. ****Judge's Impartiality****: The Court found no improper conduct by the trial judge, ruling that questioning by the judge aimed at truth-seeking does not inherently show bias.
3. ****Credibility of Evidence****: The Court upheld the eyewitness testimony of Alingan Bagay and Pedro Bagay's ante mortem statement over Obngayan's alibi, emphasizing the unlikelihood of the witness and the deceased framing the appellant without cause.
4. ****Dying Declaration****: The Court validated the admissibility of the ante mortem statement as a dying declaration, noting that, despite procedural missteps, the substance of

the statement was reliably testified to by the PC Investigator, and conditions met for it to be deemed a conscious and voluntary declaration of the decedent.

Doctrine:

- Waiving Preliminary Investigation: An accused who pleads not guilty and fails to contest the preliminary investigation's validity at the trial stage waives any irregularities in the process.
- Judicial Questioning: A judge's active participation in questioning during a trial, aimed at clarifying facts and determining the truth, does not constitute bias or partiality provided it is within reasonable bounds.
- Dying Declarations: The admissibility of a dying declaration does not depend on its form but on the declarant's awareness of their impending death and the relevance of their statement to the criminal act.

Class Notes:

- ****Preliminary Investigation Waiver****: Entering a not-guilty plea or failing to challenge the investigation's validity at trial constitutes a waiver of any procedural irregularities.
- ****Impartiality in Judicial Questioning****: Judges may question witnesses to clarify facts without constituting bias, as long as it is done judiciously.
- ****Dying Declarations****: Must be made with consciousness of a near death and directly concern the cause or circumstances surrounding the impending death. Legal provisions surrounding dying declarations highlight their situational admissibility based on the declarant's understanding of their state and the reliability of their statement concerning the crime.
- ****Alibi vs. Eyewitness Testimony****: The defense of alibi is notably weaker against direct and credible eyewitness accounts, especially when the witness has no apparent motive to falsely accuse.

Historical Background:

This case underscores the Philippine judiciary's stance on procedural issues surrounding criminal trials, the importance of eyewitness testimony, and the legal parameters guiding the admission of dying declarations. The decision reaffirms the judiciary's commitment to ensuring trials are both fair to the defendant and responsive to achieving justice for victims of criminal acts.