

Title: Velasquez v. People (G.R. No. 31333, 2018)

Facts: On the evening of May 24, 2003, Jesus and Ana Del Mundo left their home to sleep in their nipa hut about 100 meters away. Upon arrival, they found Ampong Ocumen and Nora Castillo engaging in sexual intercourse. Jesus shouted at them, causing Ampong and Nora to flee. Jesus pursued them but did not find them. On his return, he encountered Ampong and five others: Nicolas Velasquez, Victor Velasquez, Felix Caballeda, Jojo Del Mundo, and Sonny Boy Velasquez. Allegedly without provocation, Nicolas struck Jesus' forehead with a stone, Victor and Felix also hit Jesus with stones, Sonny hit him on the back with a bamboo rod, and Ampong punched him. Jesus managed to crawl and hide, later staggering home where he was found by Ana and Maria Teresita Viado. Jesus was brought to the hospital, sustaining severe injuries including a skull fracture. The accused claimed that Jesus, drunk and aggressive, hacked Victor's door and attacked them, prompting them to defend themselves.

Procedural posture: Initially, all accused except Ampong, who remained at large, pleaded not guilty. The Regional Trial Court found Nicolas, Victor, and Felix guilty of attempted murder and Sonny guilty of less serious physical injuries. Jojo was acquitted. The CA modified the sentence, convicting Nicolas, Victor, and Felix of serious physical injuries instead, finding no intent to kill. Petitioners filed a petition for review on certiorari.

Issues:

1. Whether sufficient evidence existed to prove justifying circumstances under Article 11 of the Revised Penal Code.
2. Whether the petitioners can be held criminally liable for inflicting physical harm on Jesus Del Mundo.

Court's Decision:

****Issue 1****: The petitioners claimed self-defense and defense of Victor's mother, Mercedes. For self-defense, the requisites include unlawful aggression by the victim, reasonable necessity of the means to prevent or repel it, and lack of sufficient provocation by the defendant. The court found no evidence of unlawful aggression by Jesus and thus rejected the self-defense claim. The injuries inflicted on Jesus were excessive compared to any alleged threat he posed, failing the reasonableness standard.

****Issue 2****: The petitioners' alternative narrative that Jesus was the aggressor was unsupported by credible evidence. The Court considered the testimonies of Jesus and Maria

Teresita credible, despite minor inconsistencies. Jesus' severe injuries, particularly the skull fracture, contrasted with the petitioners' story. The petitioners' actions showed intent to harm beyond self-defense limits. The Supreme Court thus affirmed the CA's decision, holding petitioners criminally liable for serious physical injuries, not attempted murder, due to lack of intent to kill.

Doctrine:

- Justifying circumstances under Article 11 require unlawful aggression, reasonable necessity of the means employed, and lack of sufficient provocation.
- Self-defense requires credible, clear, and convincing evidence from the defendant.
- Unlawful aggression is a sine qua non element for self-defense or defense of a relative.

Class Notes:

- ****Self-defense (Art. 11, Revised Penal Code)****:
 1. ***Unlawful aggression***: Essential condition.
 2. ***Reasonable necessity***: Proportionality of defense to the attack.
 3. ***Lack of provocation***: Defendant must not provoke the victim.
- ****Serious Physical Injuries (Art. 263, RPC)****:
 - ***Physical harm*** without intent to kill but resulting in incapacitating injury or deformity.
- ****Attempted Felonies****:
 - Defined by overt acts toward committing a crime but not completing it due to another factor (Art. 6, RPC).

Historical Background:

- The Revised Penal Code of the Philippines (Act No. 3815, as amended) embodies criminal laws and procedures effective since the American colonial period, heavily influencing legal defenses like self-defense and defining specified crimes and penalties.