

**## Title:**

People of the Philippines v. Rodolfo Advincula y Mondano, G.R. No. 06009

**## Facts:**

On August 4, 2005, around 6:00 p.m., Reggie Tan y Arañes (Reggie) was stabbed to death by Rodolfo Advincula y Mondano (accused-appellant) in Quezon City. Reggie was talking with Rollane Enriquez (Rollane) and Joseph delos Santos (Joseph) when Advincula approached from behind, grabbed Reggie's neck, and stabbed him in the side. Reggie managed to push Advincula away and ran, but stumbled. Advincula caught up and stabbed him twice in the chest. Reggie was pronounced dead upon arrival at the hospital.

Prosecution's case relied heavily on Rollane's testimony, the recovery of the murder weapon by the police, and the post-mortem report by P/Chief Inspector Joseph Palmero, M.D., which confirmed the fatal wounds. The defense claimed that Reggie had threatened Advincula's siblings in his home with a knife, making the killing an act of self-defense. Ultimately, the Regional Trial Court (RTC) of Quezon City convicted Advincula of murder, which was affirmed by the Court of Appeals (CA).

Accused-appellant appealed to the Supreme Court, arguing that there was an absence of unlawful aggression on Reggie's part and that the elements to justify self-defense were not present.

**## Issues:**

1. Whether the justifying circumstance of defense of a relative was applicable.
2. Whether the qualifying circumstance of treachery and evident premeditation was appropriately considered.
3. Whether the imposition of civil indemnity was correct.

**## Court's Decision:**

**### 1. Defense of Relative:**

The Supreme Court found no merit in the accused-appellant's claim of defense of relative. For such a defense to be valid, the following requisites must be present:

- Unlawful aggression by the victim
- Reasonable necessity of the means employed to prevent or repel the aggression
- Lack of sufficient provocation by the person defending.

The Court noted that unlawful aggression is a prime requirement for self-defense, which

means the aggressor must have an immediate or imminent threat to the defender's life or personal safety. The accused-appellant's admissions that no confrontation or harm occurred inside his house and that he followed Reggie with the intention to harm negated any claim of unlawful aggression. The Court emphasized that ongoing aggression is necessary for self-defense and that retaliation does not equate to defense.

### ### 2. Qualifying Circumstances:

The Court analyzed the qualifying circumstances of treachery and evident premeditation:

- **Treachery**: The accused-appellant surreptitiously attacked Reggie from behind and delivered fatal stabs while Reggie was unable to defend himself. The sudden attack without provocation constituted treachery.
- **Evident Premeditation**: The CA correctly found a lack of evidence to support evident premeditation, upholding only treachery as the qualifying circumstance.

### ### 3. Civil Indemnity:

The Court concurred with the RTC's award of damages. Advincula was ordered to pay:

- Civil indemnity: Php75,000.00
- Moral damages: Php75,000.00
- Exemplary damages: Php75,000.00
- Temperate damages: Php50,000.00
- Loss of earning capacity: Php825,930.00

Additionally, interest at six percent per annum would be imposed on all monetary awards from the date of the final decision until full payment.

### ### Competent Evidence:

The Court held that the RTC's findings, corroborated by testimonial and physical evidence, sufficiently proved the guilt of the accused-appellant beyond reasonable doubt.

### ## Doctrine:

1. **Defense of Relative**: It is necessary for the defendant to prove unlawful aggression, reasonable necessity, and lack of provocation to justify such a defense. Retaliation, in contrast to self-defense, is not permissible once the aggression ceases.
2. **Treachery**: For treachery to be appreciated, there must be a conscious and deliberate adoption of a method that ensures execution without risk to the offender. Sudden and unsuspecting attacks qualify as treacherous.
3. **Civil Indemnity**: Judges must follow established jurisprudence in awarding damages,

and interest is applicable on all awards from the time the decision reaches finality.

**## Class Notes:**

- **\*\*Elements of Murder\*\*:**
- Killing of another person
- With premeditation, treachery, or other qualifying circumstances
- Not amounting to parricide or infanticide
- **\*\*Self-Defense\*\*:** The defender must prove unlawful aggression, necessity, and lack of provocation.
- **\*\*Article 11, Revised Penal Code\*\*:** Discusses justifying circumstances.
- **\*\*Article 248, Revised Penal Code\*\*:** Defines murder and qualifying circumstances.
- **\*\*Court's Evaluation of Evidence\*\*:** The physical evidence (medico-legal report) and credible testimonies (eyewitness accounts) often carry significant weight.

**## Historical Background:**

This case reflects a consistent judicial approach where the Supreme Court of the Philippines gives weight to lower courts' findings on witness credibility, provided no significant oversights or misapprehensions occur. It highlights the importance of clear physical evidence and testimony when determining the presence of qualifying circumstances and the applicability of self-defense claims in criminal proceedings.