

****Title:**** People of the Philippines vs. Raymundo Madera, Marianito Andres, and Generoso Andres

****Facts:****

On April 20, 1970, at approximately 2:00 AM, three men approached the house of Elinor Bana in Sitio Baag, Barrio Bantug, Gabaldon, Nueva Ecija. One of the men, Raymundo Madera, stood on the first step of the stairs and fired several shots from a .45 caliber firearm at Elinor Bana, who was sleeping on the floor near the stairs. Bana sustained two gunshot wounds, with the fatal shot hitting the abdominal region. Although critically injured, Bana managed to instruct his wife to fetch his brother, Conrado. By the time Conrado returned, Bana had already been taken to the Municipal Building of Gabaldon and then transported to Nueva Ecija General Hospital, where he died en route.

The prosecution presented eyewitness testimonies from Juanito Bana, son of the victim, and Bernarda Bana, the victim's wife. Both identified Raymundo Madera as the shooter and stated that Marianito and Generoso Andres were present. Additionally, the dying declaration of Elinor Bana, recorded by Patrolman Ambrosio Feliciano, identified "Mundo Madera" as the shooter, although Bana was unable to recognize the other two assailants.

The initial trial judge found all three defendants guilty of murder, sentencing them to reclusion perpetua and requiring them to jointly indemnify the victim's heirs P12,000.

****Procedural Posture:****

The defendants appealed the decision to the Supreme Court, questioning the credibility of the witnesses and the reliability of the evidence presented, including the dying declaration and the results of a paraffin test conducted on Madera fourteen days after the incident, which turned out negative.

****Issues:****

1. Whether Raymundo Madera was correctly identified as the perpetrator.
2. Whether the appellants Marianito and Generoso Andres were correctly implicated in the crime under conspiracy principles or as accomplices.
3. The probative value of the negative paraffin test conducted on Raymundo Madera.
4. The reliance on eyewitness testimony and the dying declaration of Elinor Bana.

****Court's Decision:****

1. ****Identification of Raymundo Madera:**** The Court affirmed the conviction of Raymundo Madera based on the consistent and credible testimonies of Juanito and Bernarda Bana,

along with the dying declaration of Elinor Bana. Despite defense contentions such as it being a "moonless night," the Court found evidence that moonlight sufficiently illuminated the scene, as verified by a certification from the Weather Bureau. Madera's negative result in the paraffin test, conducted two weeks post-incident, was deemed unreliable.

2. **Implicating Marianito and Generoso Andres:** The Court reversed the convictions of Marianito and Generoso Andres due to insufficient evidence of their involvement in a conspiracy to commit murder. Their mere presence with Madera and lack of overt participatory acts fell short of establishing a conspiracy or their roles as accomplices. The Court emphasized the necessity of clear, convincing evidence to prove criminal conspiracy and the importance of fair prosecution.

3. **Negative Paraffin Test:** The Court upheld the lower court's dismissal of the paraffin test results' significance. It noted the delay in administering the test and the potential for the nitrate deposits to have been removed through washing or perspiration.

4. **Eyewitness Testimony and Dying Declaration:** Eyewitness accounts and the dying declaration were deemed credible and substantiated by multiple witnesses, reinforcing Madera's involvement and identifying him as the shooter.

Doctrine:

- **Conspiracy in Criminal Law:** Mere presence at the scene of the crime does not establish conspiracy or complicity without clear and substantial evidence of premeditated agreement or concerted action.
- **Eyewitness Testimony and Identification:** Identification can be reliable even under distressing conditions, provided it is consistent and corroborated.
- **Dying Declaration:** A dying declaration is given considerable evidentiary weight if it meets the criteria of being made in extremis, with the declarant under a sense of impending death.

Class Notes:

- **Elements of Conspiracy:** Preconceived plan, overt acts towards a common illegal goal, and substantial proof equivalent to proving the crime itself.
- **Dying Declaration:** Must be made with a sense of impending death; admissible as evidence of the declarant's last words on the matter.
- **Eyewitness Testimony:** Reliability rests on consistency, corroboration, and contextual circumstances that affirm its credibility.

- **Paraffin Test Reliability:** Timeliness and conditions of the test significantly impact its reliability as forensic evidence.

Historical Background:

This case reflects the stringent standards required to establish criminal conspiracy in Philippine criminal jurisprudence and underscores the need for prosecutors to pursue justice objectively rather than simply secure convictions. It also demonstrates the importance of credible eyewitness testimony and reliable forensic evidence in criminal trials during the early 1970s in the Philippines.