

# People of the Philippines vs. Patricio Amigo alias “Bebot”

## Title

People of the Philippines vs. Patricio Amigo

## Facts

On December 29, 1989, Benito Ng Suy was driving a Ford Fiera with his children in Davao City when they were involved in a minor collision with an orange Toyota Tamaraw driven by Virgilio Abogada. Patricio Amigo, alias “Bebot,” a passenger in the Tamaraw, engaged in a verbal confrontation with Benito after the collision. During this altercation, Patricio asked Benito if he was Chinese, which Benito confirmed.

Patricio then left but soon returned with a five-inch knife, which he used to stab Benito multiple times. Despite attempts by Benito to evade, Patricio continued the assault, inflicting thirteen stab wounds. Jocelyn Ng Suy, Benito’s daughter, attempted to get out of their vehicle to help but was unable to due to a locked door and ultimately shouted for assistance. Bystanders did not intervene, and Patricio eventually fled. Benito was transported to a hospital but later succumbed to his injuries due to sepsis after being airlifted to Manila for treatment.

Patricio was originally charged with frustrated murder but following Benito’s death, the charge was amended to murder under Art. 248 of the Revised Penal Code. The trial court convicted Patricio of murder and sentenced him to reclusion perpetua.

## Issues

1. Was the trial court correct in imposing the penalty of reclusion perpetua given the constitutional provision abolishing the death penalty?
2. Did the trial court err in its computation of the penalty given the absence of aggravated circumstances?
3. Is reclusion perpetua a cruel and harsh penalty in this context?

## Court’s Decision

The Supreme Court affirmed the trial court’s decision.

### Issue 1:

The appellant contended that the 1987 Constitution abolished the death penalty and consequently, the range for penalties should be reclusion temporal in its medium period or 17 years, 4 months, and 1 day to 20 years. The Supreme Court held that Section 19(1) of

Article III of the Constitution does not abolish the death penalty but prohibits its imposition and reduces it to reclusion perpetua. This interpretation was aligned with the decision in *People vs. Muñoz*, which emphasized that Article III, Section 19(1) did not alter the original penalty ranges except for eliminating the death penalty.

### ### Issue 2:

The Court referenced the *People vs. Muñoz* decision, stating that murder under Article 248 of the Revised Penal Code, without any modifying circumstances, is punishable by reclusion perpetua as the medium period. This principle was reinforced in other cases such as *People vs. Parojinog* and *People vs. De la Cruz*, establishing that the penalties prescribed must reflect the statutory intent.

### ### Issue 3:

The appellant's plea that reclusion perpetua is too harsh was dismissed. The Court stated that its role is to apply the law impartially and not to consider pleas of sympathy. Penalties are determined by legislative statute, and any modifications or clemency should be addressed through executive clemency or legislative amendments.

## ## Doctrine

The Supreme Court reiterated the doctrine established in *People vs. Muñoz* that Section 19(1) of Article III of the 1987 Constitution merely prohibits the imposition of the death penalty and reduces it to reclusion perpetua, without altering the other penalty periods prescribed by Article 248 of the Revised Penal Code.

## ## Class Notes

- **Elements of Murder (Art. 248, RPC):**
  1. **Qualifying Circumstances:** Treachery, evident premeditation, cruelty.
  2. **Mens Rea:** Intent to kill.
  3. **Execution:** Acts of execution that would have resulted in murder except for certain circumstances.
  
- **Article III, Section 19(1) of the 1987 Constitution:**
  - Prohibits the imposition of the death penalty.
  - Reduces death penalties to reclusion perpetua.
  
- **Reclusion Perpetua:**
  - Imprisonment from 20 years and 1 day to 40 years.
  - Does not include the possibility of parole.

## ## Historical Background

During the period of 1989, the 1987 Constitution of the Philippines was in effect, which included progressive human rights provisions, specifically the abolition of the death penalty. This constitutional change affected sentencing in serious criminal cases, including murder, by substituting the death penalty with reclusion perpetua. This case exemplifies the judiciary's navigation of these constitutional mandates in juxtaposition to the legislative framework of the Revised Penal Code.