

**\*\*Title:\*\*** Leo Abuyo y Sagrit v. People of the Philippines, G.R. No. \_\_\_\_

**\*\*Facts:\*\***

On August 16, 2011, at around 7:30 PM, Leo Abuyo y Sagrit (Leo) and his wife were returning home on their motorcycle when they encountered Cesar Tapel (Cesar) and his son Charles Tapel (Charles), who were armed with a fan knife and a gun, respectively. Cesar and Charles obstructed Leo's path, prompting Leo to veer left and proceed to his father's house, where Charles followed and kicked their bamboo fence, pointed his gun at them, and demanded Leo come out. Attempts by Leonardo Abuyo (Leo's father) to calm Charles were futile as Cesar arrived and stabbed Leonardo. Leo intervened, leading to a confrontation where Cesar attacked Leo. In defense, Leo grabbed a bolo from the table and struck Cesar's right hand, causing Cesar to drop his knife temporarily. Cesar picked up the knife again, and Leo stabbed Cesar in the lower stomach, resulting in his death due to abdominal injuries and multiple lacerated wounds.

Leo voluntarily surrendered and was charged with Homicide before the Regional Trial Court (RTC) of Daet, Camarines Norte, Branch 38. At trial, Leo pleaded not guilty, invoking self-defense and defense of a relative. On December 8, 2017, the RTC convicted Leo, ruling he did not prove all elements of self-defense but acknowledged incomplete self-defense and voluntary surrender, sentencing him to 4 years, 2 months, and 1 day to 8 years of imprisonment plus damages to the victim's heirs.

Leo appealed to the Court of Appeals (CA), which affirmed the RTC's decision with modified damages on June 28, 2019, and denied reconsideration on November 12, 2019. Leo subsequently filed a Petition for Review on Certiorari to the Supreme Court.

**\*\*Issues:\*\***

1. Whether the means employed by Leo was reasonably necessary to repel the unlawful aggression.
2. Whether the elements of self-defense and defense of a relative were sufficiently proven.

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

**\*\*1. Reasonable Necessity of Means Employed:\*\***

The Court emphasized that rational equivalence, not material commensurability, was the standard in evaluating the necessity of the means employed. Despite the RTC and CA's assertions that Leo could have grabbed Cesar's knife or escaped, the Supreme Court found that Leo's use of a bolo to subdue Cesar was a reasonable response to an imminent and

heightened threat posed by armed assailants, compounded by fear for his father's life. Leo's instinct for self-preservation justifiably led to his reactive measures, even if lethal.

**\*\*2. Elements of Self-Defense and Defense of a Relative:\*\***

The Court accepted the presence of unlawful aggression by Cesar and Charles, as Leo was blocked, pursued, and attacked without provocation. The lack of sufficient provocation and the immediate threat to Leo and his injured father supported Leo's defensive actions.

The Court reversed the CA's decision, citing that Leo's actions were justified by self-defense and defense of a relative. Leo was acquitted and ordered to be released immediately unless held for another cause.

**\*\*Doctrine:\*\***

The Court reiterated that:

1. **\*\*Law of Nature in Self-Defense:\*\*** The foundation of the right to self-defense necessitates only reasonable grounds to believe in apparent danger. The accused need not exhibit unerring judgment in the face of immediate threats.
2. **\*\*Rational Equivalence:\*\*** In assessing the means used in self-defense, courts should consider the totality of circumstances, the immediacy of danger, and the subjective viewpoint of the defender at the time of the incident.
3. **\*\*Shifting Burden of Proof:\*\*** Once self-defense is claimed, the burden shifts to the accused to substantiate the defense convincingly.
4. **\*\*Instinct of Self-Preservation:\*\*** In emergencies, human reactions prioritize survival over calculated reason, and courts must duly recognize actions taken under the duress of life-threatening aggression.

**\*\*Class Notes:\*\***

- **\*\*Self-Defense and Defense of Relative:\*\***

- Elements:

1. **\*\*Unlawful Aggression:\*\*** Clear and imminent threat to personal safety.
2. **\*\*Reasonable Necessity:\*\*** Rational equivalence of means employed to repel aggression.
3. **\*\*Lack of Provocation:\*\*** Absence of instigation by the defender.

- **\*\*Key Cases:\*\***

- **\*\*People v. Olarbe:\*\*** Affirmed instinctive reactions to imminent threats.
- **\*\*People v. Ganal, Jr.:\*\*** Upheld lethal defensive actions under immediate danger.

- **\*\*Legal Provisions:\*\***

- Article 11 (Justifying Circumstances), Revised Penal Code: No criminal liability when

acting in self-defense.

- Doctrine of reasonable necessity: Courts must evaluate the defender's perspective and immediacy of danger.

**\*\*Historical Background:\*\***

This case underscores the stringent standards and interpretations of self-defense laws in the Philippines within the judiciary's historical commitment to grounded and reasonable applications of justice. Historically, the judiciary has maintained a nuanced approach to self-defense, accommodating the real-time instincts of individuals under threat.