

Title: People of the Philippine Islands vs. Celerino Colocar

Facts:

1. **Incident Overview:**

- **Date & Location:** On the night of May 2, 1933, in Calapan, Mindoro, Philippines.
- **Act Committed:** Celerino Colocar allegedly set fire to a fish-net and a banca (boat) owned by Mauricio Ahorro.

2. **Witness Accounts:**

- **Pacifico Inato:**
 - At around 1 AM, witnessed the fire from the shore and identified Colocar in the boat with a flashlight.
 - Colocar, startled by the light, ran away from the scene.
- **Estanislao Acha & Francisco Avenilla:**
 - Also saw the burning fish-net and boat at around 1 AM.
 - Testified they saw Colocar walking away hastily from the burning boat.

3. **Damage Assessment:**

- Total damage was valued at P380 (P350 for the fish-net and P30 for the boat).

4. **Accused's Defense:**

- Colocar denied the accusations asserting an alibi that he was asleep at home since 9:30 PM.
- Claimed that Avenilla was too drunk to have witnessed anything and Inato was physically incapable of being present due to illness.

Procedural Posture:

1. **Initial Trial:**

- Conducted in the Court of First Instance of Mindoro.
- **Verdict:** Colocar was found guilty of arson under Article 322(3) of the Revised Penal Code.
- **Sentence:** Two years, eleven months, and eleven days of prision correccional, and an indemnity of P380 to Ahorro.

2. **Appeal:**

- Filed by Colocar, asserting errors in the trial court's judgment particularly relating to the

credibility of witnesses and the sufficiency of evidence proving his guilt.

****Issues:****

1. ****Credibility of Witnesses****:

- Whether the testimonies of Pacifico Inato and Estanislao Acha were credible and reliable enough to convict Colocar.

2. ****Sufficiency of Evidence****:

- Whether the trial court erred in finding that Colocar deliberately set fire to the fish-net and banca.

3. ****Aggravating Circumstance of Recidivism****:

- Legal interpretation of considering prior convictions as an aggravating circumstance despite the passage of time.

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

1. ****Credibility of Witnesses****:

- Supreme Court held there was no reason to disturb the trial court's findings on the credibility of prosecution witnesses.

2. ****Sufficiency of Evidence****:

- The Court upheld the trial court's reliance on testimony and circumstantial evidence proving Colocar's guilt beyond reasonable doubt.

3. ****Aggravating Circumstance****:

- The Supreme Court affirmed that Colocar's prior conviction (robbery in 1916) should be considered as an aggravating circumstance of recidivism despite the 16-year gap.

- The law does not specify a time limit after which a prior conviction cannot be considered for recidivism under the Revised Penal Code.

****Doctrine:****

- ****Application of Recidivism****: The case affirms that recidivism as an aggravating circumstance has no temporal limitations under the Revised Penal Code of the Philippines.

- ****Aggravating Circumstance****: Using a prior conviction for crimes within the same title (Title X of the Revised Penal Code) as an aggravating circumstance even after a significant lapse of time.

****Class Notes:****

- ****Elements of Arson****:
 1. ****Intentional Act****: Setting fire to property (fish-net and banca in this case).
 2. ****Ownership & Damage****: The property damaged belonged to another person (Mauricio Ahorro), and the damage assessed.
- ****Recidivism****:
 - Defined as when a person on trial has a previous conviction for another offense included in the same title of the Penal Code.
- ****Legal Statutes****: Ang 322(3) and Article 14 of the Revised Penal Code.
- ****Prison Sentences****:
 - Imposed penalties considering aggravating or mitigating circumstances under Article 89 and 90 of the Revised Penal Code.

****Historical Background:****

- The case contextualizes the post-colonial period in the Philippines, under American influence, reflecting a transitional justice system incorporating Spanish Penal Code with local specifics.
- Highlights societal emphasis on property protection and legal adherence to formalized codes under the Revised Penal Code, emphasizing legal continuity despite shifts in sovereign governance and the judicial system's evolution.