

****Title:****

The People of the Philippines vs. Nemesio Talingdan, Magellan Tobias, Augusto Berras, Pedro Bides, and Teresa Domogma

****Facts:****

Bernardo Bagabag lived with Teresa Domogma and their children in Sobosob, Salapadan, Abra. Their relationship was strained due to Teresa's infidelities, particularly with Nemesio Talingdan, a local policeman. On June 22, 1967, Teresa and Bernardo had a violent quarrel, culminating in Teresa seeking police help and Talingdan threatening to kill Bernardo.

On June 24, 1967, at dusk, Corazon, Bernardo's daughter, saw Teresa meeting with Talingdan, Tobias, Berras, and Bides, all armed with long guns. Later, while Corazon cooked supper, she observed Teresa going downstairs to meet the co-accused again. Despite Corazon's warnings, Bernardo ignored her concerns. Suddenly, Bernardo was shot from below the stairs. Talingdan and Tobias then went upstairs and fired more shots at Bernardo. As the assailants fled, Bides threatened Corazon to keep silent. Teresa later warned Corazon to not reveal what she saw, threatening her life if she did.

Corazon initially kept silent out of fear but later disclosed the details to her uncle and grandmother, leading to charges of murder against Talingdan, Tobias, Berras, Bides, and Domogma.

****Issues:****

1. Did Teresa Domogma and her co-accused commit the crime of murder against Bernardo Bagabag?
2. Was the testimony of Corazon credible and sufficient to convict the accused?
3. Should Teresa Domogma be held as a principal or an accessory to the crime?
4. Were there aggravating circumstances that should influence the punishment of the accused?

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

1. ****Commission of Murder:****

The Court found that Talingdan, Tobias, Berras, and Bides, in conspiracy, committed the crime of murder. They consciously participated in the assassination of Bernardo, driven by premeditated motive and evident by their acts before and during the commission of the crime.

2. ****Credibility of Corazon's Testimony:****

Corazon's testimony was deemed credible despite minor inconsistencies. The details she provided were consistent and convincing, especially given her age and the nature of her testimony.

3. **Participation of Teresa Domogma:**

The Court concluded that while Teresa's direct involvement in the planning and execution of the murder was not conclusively proven, her actions afterward, including instructing Corazon to remain silent and threatening her, made Teresa liable as an accessory to the crime.

4. **Aggravating Circumstances:**

The crime was carried out with evident premeditation and in the dwelling of the victim, both of which were considered aggravating circumstances. The presence of these aggravating factors warranted the imposition of a more severe penalty.

Doctrine:

The case reiterated that:

- Minor inconsistencies in a witness's testimony do not necessarily undermine its overall credibility, particularly if the witness is a young child.
- Evident premeditation and committing a crime within the victim's dwelling are aggravating circumstances that significantly impact sentencing.
- Accessories to a crime can be prosecuted and sentenced based on their actions that assist the principal offenders.

Class Notes:

- **Conspiracy:** Acts in furtherance of a common plan implicate all involved (Art. 8, Revised Penal Code).
- **Accessory:** Assistance or complicity following the crime commission can render one liable (Art. 19, Revised Penal Code).
- **Qualifying Circumstances:** Treachery and evident premeditation as qualifying elements elevate a homicide to murder.
- **Aggravating Circumstances:** Evident premeditation and committing the crime in the victim's dwelling increase the severity of the penalty (Art. 248, Revised Penal Code).

Historical Background:

This case took place in the context of rural Philippine society during the 1960s, characterized by strict moral codes and close-knit communities. The social dynamics and the

authority figures involved, like the local policeman and the mayor, reflect the hierarchical and communal relations pivotal in smaller towns. This societal setup played a role in the decision-making and interactions of the individuals involved in the case.