

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS. CAUSIANO ENOT AND PABLO VIÑALON, DEFENDANTS AND APPELLANTS.

G. R. No. L-17530. October 30, 1962

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/2a45feb73b34/>

PER CURIAM:

Review of a decision of the Court of First Instance of Masbate, Hon. Mariano V. Benedicto, presiding, sentencing each of the accused Causiano Enot and Pablo Viñalon to undergo the penalty of death for the crime of robbery with multiple homicide and physical injuries.

The above-named accused, duly assisted by counsel, pleaded guilty to the charges contained in the information filed against them, which reads as follows.

"That on or about the 8th day of July, 1960, in the barrio of San Jose, Municipality of Cataingan, Province of Masbate, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused conspiring together and helping each other, with intent of gain and by means of violence and force upon things, did then and there wilfully, unlawfully and feloniously enter the house of Macario Conje who was then sleeping with the members of his family and once inside take and carry away one trunk belonging to Macario Conje which said accused forcibly opened outside the house and from which they took, stole and carried away therefrom assorted clothings and also one fighting cock all Valued in the total amount of P35.00, to the damage and prejudice of the said owner in the aforesaid amount; that on the occasion of the said robbery and for the purpose of enabling them to take, steal and carry away the articles above-mentioned, the herein accused did then and there wilfully, unlawfully and feloniously and with evident premeditation and the aggravating circumstances of nocturnity, the use of superior strength, cruelty, abuse of confidence and treachery—all with intent to kill, attack, assault and stab with sharp bolos the persons of Macario Conje, Maximina Arreglado, Monina Conje, a minor Baby Conje, 7 months old and Santiago Conje, 5 years old and thereby inflicting upon Macario Conje, Maximina Arreglado and Monina Conje serious multiple wounds on the different parts of their bodies and upon Saby Conje incise wound at the middle of the head cutting the skull and brain which injuries directly caused their instantaneous death; and upon Santiago Conje incise wound in the left leg below the knee joint which injury required medical attendance for a period of from 15 to 20 days."

After they had entered their plea of guilty, the accused were asked by the judge if they understood the information as read to them, and they both answered "Yes, sir". However, in view of the seriousness of the offense charged and the gravity of the penalty imposable therefor, the trial judge, instead of immediately pronouncing sentence upon their plea of guilty, propounded questions to both of them to assure himself.

The examination conducted by the judge himself in open court established the following facts: The accused Causiano Enot and Pablo Viñalon, having previously planned to rob the house of Macario Conje located in the barrio of San Jose, Cataingan, Masbate, went up the said house on the night of July 8, 1960, armed with bolos. Upon gaining entrance thereto, they found therein Macario Conje, his wife Maximina Arreglado, Santiago Conje, 5 years, Monina Conje, a minor, and Baby Conje, 7 months, all of whom were still awake, with the exception of the last. Of those awake "some were sitting and some were lying down." Without provocation whatsoever, and in

accordance with their plan to assault the occupants to insure the perpetration of the crime they had conspired to commit, the accused did then and there attack Macario Conje, Maximina Arreglado, Monina Conje, Baby Conje, and Santiago Conje, by stabbing and hacking them with their bolos and inflicting wounds on their persons, which brought instantaneous death to the first four named and injury to the left leg just below the knee of Santiago Conje, which required 15 to 20 days of medical care. Having thus eliminated possible obstacles to the accomplishment of their criminal purpose of robbing the victims, the accused then proceeded to bring outside the house one fighting cock and a trunk belonging to Macario Conje, which trunk they forcibly opened and took therefrom assorted clothing. All the things taken by them are valued in the amount of P35.00.

The facts above set forth were voluntarily and spontaneously admitted by the two accused before the trial judge. When the judge asked them for the second time if they reiterate their plea of guilty, and if they realized that the court could sentence them to any penalty provided by law, the accused again answered in the affirmative.

On the basis of the admissions made by the accused, the court found them guilty beyond reasonable doubt of the crime of robbery with multiple homicide and physical injuries, with the aggravating circumstances of nocturnity, superior strength, treachery and evident premeditation, with only one mitigating circumstance of plea of guilty, and thereby sentenced them to the penalty of death. Capital punishment having been imposed, the records of the case were forwarded to this Court for review.

Defendants-appellants do not question the facts as found by the trial judge, but doubt the propriety of the penalty imposed by him, claiming that at most the penalty to which they should have been sentenced is reclusion perpetua. They allege that the death penalty was erroneously imposed because the trial court (1) did not consider intoxication and lack of instruction or education as mitigating circumstances; (2) considered nocturnity and abuse of superior strength as distinct and separate from the aggravating circumstance of treachery; and (3) considered evident premeditation as an aggravating circumstance.

We have already held that to be available as a means to lighten the penalty, the fact of intoxication must be proved to the satisfaction of the court. (*People vs. Noble*, 77 Phil. 93, 101). In the case at bar, defendants-appellants made no offer to show that during the commission of the crime they were drunk to the point of losing the use of their reason and self-control. Neither has it been shown that just before they committed the crime defendants-appellants had in fact been drinking. The extrajudicial confession of Pablo Viñalon found on page 30 of the record, which counsel for the defense brings to the attention of this Court to prove that Viñalon was drunk during the commission of the crime, may not be taken into account, not having been offered as an exhibit. Besides, all that said confession states is that Viñalon had been drinking tuba together with a certain Sulpicio Cuadera before he repaired to the house of Macario Conje, without stating the amount or quantity of liquor they had consumed, upon which the court could base its finding as to the degree of their intoxication. (*Ibid.*) Hence the lower court acted rightly in not appreciating drunkenness as a mitigating circumstance in their favor.

The benefit of lack of instruction is likewise unavailing to mitigate the crime committed by defendants-appellants as this circumstance is not applicable to crimes of theft or robbery, and much less to the crime of homicide, (*U.S. vs. Pascual*, 9 Phil. 491; *People vs. Melendrez*, 59 Phil. 154; *People vs. De la Cruz*, 77 Phil. 444; *People vs. Mendova*, 100 Phil., 811; 52 Off. Gaz. [7] 3574.) Needless to say, no one, however unschooled he may be, is so ignorant as not to know that theft or robbery, or assault upon the person of another, is inherently wrong and a violation of the law.

However, nocturnity should not have been taken as an aggravating circumstance separate and independent of that of treachery, the reason being that nighttime forms part of the peculiar treacherous means and manner adopted to insure the execution of the crime. (*People vs. Balagtas*, 68 Phil. 675, 677; *People vs. Parde*, 79 Phil. 568, 579;

People vs. Bautista, 79 Phil. 652, 657; People vs. Magsilang, 82 Phil. 271, 275.)

The crime committed, that of robbery with multiple homicide and physical injury, is aggravated by treachery, in that the accused took advantage of nighttime to cover up their movements and commenced attack on their victims at a time when the latter, unaware of their approach and their intention, were in no position to offer any defense (People vs. Pengzon, 44 Phil. 224, 234; People vs. Palomo, 43 Off. Gaz. No. 4190); by the use of superior strength and disregard of the sex and age of the victims, the latter, with the exception of Macario Conje, all being women, one only five years old, another, a minor, and the third, a seven-month old baby (People vs. Medina, 71 Phil. 383); by evident premeditation, in that prior to the crime, they had conspired to rob the house of Macario Conje and to assault and attack the occupants thereof if necessary to better accomplish their purpose (People vs. Galang & Guzman, 73 Phil. 184, 198-200); and by dwelling, consisting in the violation of the privacy of the home of the deceased Macario Conje and his family (People vs. Manuel, 44 Phil. 333, 340; People vs. Bautista, 79 Phil. 653, 657; People vs. Gonzales, 76 Phil. 473, 480).

What has attracted the attention of the Court is the senseless depravity with which the accused committed the offense. For no conceivable reason, they hacked the head of the baby in two. The three other victims were defenseless women who offered no resistance at all; yet disregarding their helplessness, sex and tender age, defendants stabbed and hacked them to death without mercy.

In view of the plea of guilty and the aggravating circumstances which attended the commission of the crime, the Court is constrained to affirm, as it hereby affirms, the death sentence imposed by the trial judge upon each of the accused-appellants. Considering that the decision of the lower court does not impose any indemnity for the death of the victims, namely, Macario Conje, Maximina Arreglado, Monina Conje, and Baby Conje, the defendants-appellants are hereby sentenced to pay jointly and severally the amount of P6,000 to the heirs of each of the victims. Costs against defendants-appellants. So ordered.

Bengzon, C. J., Padilla, Bautista Angelo, Labrador, Concepcion, Reyes J. B. L., Barrera, Paredes, Dizon, Regala and Makalintal, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.