

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS. ANTONIO IBALI, DEFENDANT AND APPELLANT.

G. R. Nos. L-3386 and L-3387. May 18, 1951

Ponente: TUASON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/596e4b2f850e/>

TUASON, J.:

This was a joint prosecution for murder against Antonio Ibalí, Cresencio Calija and Santiago Lagazo, and for illegal possession of firearms and ammunition against Ibalí alone. Lagazo was excluded from the information for murder and used as a state witness. Ibalí was found guilty in both cases as charged and sentenced upon the first information to reclusion perpetua, to indemnify the heirs of the deceased in the amount of P2,000 and to pay one-third of the costs, and upon the second information to an indeterminate imprisonment of from five to seven years. Calija was pronounced guilty of murder but only as an accomplice, and was sentenced to an indeterminate penalty of from six years of prison correctional to fourteen years, eight months and one day of reclusion temporal, to indemnify the heirs of the deceased in the amount of P1,000, and to pay one-third of the costs. Ibalí appealed both sentences but Calija did not.

Undisputed are these facts: Melchor Manzano was murdered on the night of June 29, 1949, on or near the seashore in Pasuquin, Ilocos Norte. The next day, after Manzano's body was recovered, Dr. Rosario G. Dumlao, charity clinic physician, issued a medical certificate describing the wounds and injuries he had found in his examination as follows:

(a) Gun shot wounds:

- Left side of the abdomen thru and thru point of entrance 0.8 cm. in diameter and point of exit 2 cm. in diameter.
- Right iliac region thru and thru point of entrance 0.8 cm. in diameter and point of exit 2 cm. in diameter.
- Left parietal region, penetrating point of entrance 0.8 cm. in diameter.
- Left forearm thru and thru point of entrance 0.8 cm. in diameter and point of exit 2 cm. in diameter.
- Left side of the thoracic cavity thru and thru point of entrance 0.8 cm. in diameter and point of exit 2 cm. in diameter.

(b) Clean cut wounds:

- One clean cut wound 1 decimeter long from the right shoulder towards the spinal column.
- One clean cut wound 11 inches long over the raastoid bone.
- Two-third of the entire face lacking, particularly on the left side and right upper side,

(c) Fracture:

- Complete compound fracture of the right forearm above the right elbow joint.

It appears that soon after the killing, Cresencio Failano, Ludovico Cabinan and Lorenzo Lagazo were arrested and a complaint against them for murder was filed with the justice of the peace. But the justice of the peace ordered the prisoners' release, convinced that their confessions, the only basis of the accusation, had been wrung by third degree method by Lt. Sabellano of the Philippine Constabulary.

Thereafter Lt. Villamar of the same force was assigned to the case and his investigation resulted in the apprehension and prosecution of Santiago Lagazo, Antonio Ibali and Cresencio Calija, all of whom made and signed extrajudicial statements incriminating themselves as the authors of the slaying.

Although on trial himself, Calija as well as Lagazo gave evidence against Ibali. Following is the sum total of Lagazo's and Calija's testimony:

Lagazo called at Antonio Ibali's house early on the night of June 29, 1948, to request Ibali or Ibali's daughter to write for him a letter which he wanted to send his cousins in Hawaii. After Ibali's daughter finished the letter, Ibali invited Lagazo "to take a walk." On the street, after they had gone some distance, Ibali separated from Lagazo and came back with a carbine. From that point Ibali proceeded with Lagazo to Melchor Manzano's place, which was near the public school building of Pasuquin, and told Manzano that he had come to "find something good for us." Replying that he had nothing to give them, Manzano joined his visitors and the trio walked north. By and by they met Cresencio Calija and this defendant came along.

All four now agreed to go to Nagbayugan river to fish. Before reaching the river, they sat down to rest, and Ibali told Manzano in jest to share Manzano's mistresses with him. Manzano retorted that Ibali did not have to make such a request because he already was "also enjoying with them." After this brief exchange, Ibali grabbed a piece of wood about three inches thick and struck Manzano in the arm, knocking Manzano down. As Manzano was lying flat on the ground Ibali slashed him with a bolo in the face, and, allegedly under Ibali's threats, Calija and Lagazo hacked him too and helped carry or drag his body to a point near a stream. At this place, Ibali riddled Manzano's cadaver with bullets from his carbine, after which Calija on Ibali's order fetched some yarn and a fish net which were arranged near the corpse to have it look as if Manzano had been killed for stealing those articles.

To be sure, there are material discrepancies between Calija's and Lagazo's confession on the one hand and their testimony in court on the other. It is conceivable, even natural, that, being co-participants in the crime, Lagazo and Calija invented facts and twisted others to lighten their responsibility. But over and above the contradictions, the evidence leaves no room for speculation that Melchor Manzano was murdered at the place and by the persons named; and it is beyond question that Ibali was the instigator and directing spirit of the affair. Of the three accused, Ibali alone had a motive to eliminate the deceased. Manzano was sustaining illicit relation with his wife's sister with whom Ibali was also making love. This was testified to by the woman herself.

It would appear at first blush that the crime was unpremeditated and was only provoked by Manzano's remark that Ibali was partaking of Manzano's mistresses. But there are scattered bits of evidence in the record from which a plan to liquidate the now deceased conceived even before Ibali and Lagazo left Ibali's house, is plainly discernable. And there are indications that Calija was in the conspiracy and was where he joined his co-accused waiting for them.

Ibali set up an alibi, and he undertook to prove that Lagazo and Calija were the killers without his intervention or presence. The defense of alibi is self-contradictory and is contradicted by Calija's witness.

The appellant swore that he went to bed at 8:00 p.m. and did not get up until 5:00 the next morning. He declared that he knew nothing of the crime that night beyond that his wife aroused him and told him that she had heard reports of a gun. Forgetting those statements, he later said that Lagazo and Calija came between twelve and one

o'clock at night and told him that they had slain Manzano.

To rebut Ibali's assertion that he did not go out on the night in question, Calija's witness, Santos Licuan, testified that at about eight o'clock that night he saw the appellant, Lagazo, Calija and Manzano together in Malmalabi. It will be noted that Licuanan did not spare the party that called him to the stand. We feel certain that he was a truthful witness.

In other respects, the appellant's story is as guilt-revealing as Calija's and Lagazo's testimony against him. He said that when he went to his place of work north of his house the next day, a boy reported to him (he was the barrio lieutenant), that there was a dead man sprawled near the beach. He asked the boy, he said, to come with him and show him the place, and, true enough, he saw a dead man. Thereupon, he went on to say, he looked for Sergeants Malapira and Failano of the constabulary, related to them what he had seen, and with these two went to see Melchor Manzano's wife to inquire if Manzano was at home. And when Manzano's wife said her husband had not yet returned, he took her along to identify the corpse.

By this narration Ibali gave to understand that he did not recognize the dead man. In reporting the finding of Manzano's body to the constabulary and going with the two sergeants to Manzano's house ostensibly to find out if Manzano was home, after he had seen the corpse and been told by Lagazo and Calija whose it was—it was evident that he was just "playing possum," simulating complete ignorance of Manzano's fate.

What has been said so far does not take into account the appellant's confession. We are satisfied that this confession was voluntary and was properly admitted and considered. The fact that the three men first arrested had been tortured, and their confession had been rejected and the prisoners had been discharged on that account, gives added assurance rather than otherwise that the new investigator, Lt. Villamar, took special care to see to it, as Villamar said, that such result was not repeated.

The alleged non-compliance with the Rules of Court in the exclusion of Lagazo from the prosecution to testify for the Government, even if true, is not a reversible error. (People vs. Castaneda and Fernandez, 63 Phil. 484-485.)

On the charge of illegal possession of firearms, some of the testimony which has already been set forth above may be recalled. Additional evidence is that of Cresencio Failano, who said that he had been with the guerrillas during the war although he had seen no action; that the carbine Exhibit "A" he had seen in Antonio Ibali's possession about a year before Manzano was killed; that he could tell that this was the same carbine Ibali had because its butt and "the wooden portion of the middle part" were burned.

In connection with this firearm, Lagazo testified that he had seen it and its magazine, Exhibit "A-1", in Ibali's possession about two months before June 29, 1948, when he (witness) was bathing his carabao in a brook and Ibali passed by; that he had seen Ibali with this gun about three times; that it was with this gun that Ibali fired a volley on Manzano after he was dead; that before he and his companions separated after killing Manzano, Ibali told him that he was going to leave the carbine near Juan Manzano's house.

That was the place, under bamboo grooves, where a municipal policeman discovered the carbine and the magazine. Reasonable supposition is that the gun was planted there in line with the plan to make it appear that some one living in the vicinity of the crime, or the owner of the net, had shot and killed the deceased. The idea was crude and clumsy to the point of being silly, but so was the other scheme of diverting suspicion from the real culprits, such as the appellant feigning innocence by the shallow device of taking along two constabulary officers and asking Manzano's widow where her husband was.

The appealed decision is in both cases in accordance with law and the evidence, and the same is affirmed, except that the indemnity for the killing shall be raised from P2,000 to P6,000, with costs.

Paras, C. J., Feria, Pablo, Bengzon, Padilla, Montemayor and Jugo, 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.