

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. CONRADO HOCSON/JOCSON Y DE GUZMAN, @ CONRAD, DENNIS TRESVALLES Y LACHICA @ TRES, NOEL TRESVALLES Y LACHICA @ INKGONG, GONZALO ...

Ponente: YBAÑEZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/6788643ecf95/>

YBAÑEZ, J.:

This is an appeal from the Decision dated 29 January 2009, of the Regional Trial Court, Branch 275, Las Piñas City, in Criminal Case No. 02-0710 for Kidnapping with Ransom, defined and penalized under Article 267 of the Revised Penal Code, as amended, finding the accused-appellants guilty as charged, the dispositive portion of which states:

WHEREFORE, in view of all the foregoing, judgment is hereby rendered as follows:

Accused Dennis Tresvalles y Lachica, Noel Tresvalles y Lachica, Gonzalo Quario y Rayos, Dominador Layalan, Jr. y Tiongson, and Allan Garcia y Papa are found guilty as principals and are hereby imposed the penalty of RECLUSION PERPETUA under Art. 267, Revised Penal Code as amended. Considering the qualities displayed by them which are however not legally mitigating, this Court, recommends, in the spirit of compassion, leniency and/or parole for them whenever proper in the future, whenever permissible under executive rules.

Accused Conrado Hocson (or Jocson) y De Guzman is acquitted on the ground of reasonable doubt.

SO ORDERED.[1]

The Facts

The facts of the case as found by the trial court are as follows, viz:

It appears that at about 2:00 A.M. of August 25, 2002 Jan Arad Fernandez, 24 years old, single, student, a resident of Bacoor, Cavite, was driving his car on his way home after visiting friends at Moonwalk Village, Las Pinas City. While he was driving somewhere on Marcos Avenue between the boundary of Las Pinas and Bacoor, his car was bumped from behind. He alighted to check and found the damage negligible. Suddenly, persons got off from a taxi, and one man put his arms around Jan Arad's neck and poked a gun. Accused Allan Garcia was identified by Jan Arad as that man. Jan Arad was ordered: "SAKAY SA KOTSE MO". Jan Arad

and Allan Garcia boarded, while the second man identified as Dennis Tresvalles drove the car. Accused Dominador Layalan Jr. was the third man, while the fourth man was “Leclec” who, as aforesated, remains still at large.

They drove along Molino Road for about an hour and stopped at Binan, Laguna. The face of the abductee Jan was covered with a cap. They travelled for 30 minutes and again stopped for the second time. Then he was told “BABA LUMIPAT KA DUN SA SASAKYAN SA HARAP”, an L300 Van. He was transferred to the van. “DUMAPA KA LANG DIYAN, KAHIT ANONG MANGYARI, HUWAG KANG TITINGIN, DUMAPA KA LANG”. The persons in the van were accused Gonzalo Quario and accused Noel Tresvalles. Jan Arad could not see who was driving the van because it was dark. They traveled for two hours and again stopped for the third time. Allan Garcia provided him with a cellphone and told him to call his mother. Jan Arad called his mother, “MA, MAY PROBLEMA NAKIDNAP AKO”. Allan Garcia spoke to the mother: “MAGHANDA KAYO NG ISANG MILYONG PISO”.

They stopped momentarily for the fourth time. Then Gonzalo Quario told him “PASENSIYA KA NA, NATIYEMPUHAN KA LANG NAMIN”. After two minutes, Leclec, who remains at large, entered the van. Jan Arad was told “to just lie with (his) stomach and do not look at us. (Page 54 TSN, November 14, 2002) The van stayed for 30 minutes. They drove again for two hours during which time he heard Dennis Tresvalles tell his mother saying “IHANDA NINYO AND PERA ONE MILYON”. Later, Jan Arad heard “SIGE IBABA NAMIN SA TWO HUNDRED THOUSAND”. They stopped the fifth time, and later the sixth time when it was already afternoon.

Allan Garcia told Dominador Layalan and Gonzalo Quario to get some food. Eating time took 15 minutes, and they drove off again. They travelled while a tired Jan Arad slept in the van. Again they stopped for the seventh and eighth time. Allan Garcia told Jan Arad “BUMABA KA, YUMUKO KA LANG, KAHIT ANONG MANGYARI HUWAG KANG TITINGIN”. They were in a muddy area amid shanties. It was at this time that Jan Arad noticed accused Conrado Hocson as the driver of the van and the only one who did not alight from the van. Allan Garcia then said: “PAAKYATIN NINYO NA YAN”. He was taken upstairs in a small room, his feet and hands tied with a rope. He was guarded by two persons, Gonzalo and Leclec. Jan Arad slept again. He was awakened by Dennis Tresvalles and Allan to eat Lechon Manok. He woke up the next day at 8 AM as Dennis Tresvalles entered the room and said “PASENSIYA KA NA SA NANGYARI, NATIYEMPUHAN KA LANG NAMIN TALAGA”. Dennis ordered Gonzalo Quario to untie him. Shortly, Dennis ordered Gonzalo Quario and Leclec to get rice and noodles for Jan Arad. Thereafter Jan Arad rested.

Later, Dennis entered the room and told the other accused: “DITO NA LANG KAYO MAGLARO, WALANG KASAMA SI ARAD”. They played cards and took what Jan Arad believed to be shabu. Shortly, Noel Tresvalles and Dominador Layalan had an altercation, shouting at each other. A voice downstairs shouted: “TIGIL NIYO NA NG YAN”. Allan Garcia came and told Jan Arad: “BAKIT ANG HIRAP KUHANAN NG PERA NG MGA MAGULANG, SAMANTALANG BUHAY MO ANG NAKATAYA DITO?” Jan Arad did not answer. Allan asked: “BAKIT KA PINAGKAKATIWALAAN NG KAIBIGAN KO?”, referring to Dennis Tresvalles. Allan handed his gun to Jan Arad and said: “if I can trust you, here is the gun” (Page 92 TSN, November 14, 2002). Jan Arad did not take the gun. After a few minutes Allan Garcia said: “MAPAGKATIWALAAN KA NG YAN”. Then Allan Garcia said: “PASENSIYA KA NA, my children have no food to eat and we have no money to pay the electric bill”. After two minutes Allan Garcia went out. Soon Dennis Tresvalles entered and asked Jan Arad for the original copies of the OR and CR of Jan Arad's car.

Jan Arad said the documents were in his house.

Jan Arad later called his father by cellphone: “Don’t worry about me, OKAY LANG AKO DITO” (Page 96 TSN, November 14, 2002). Dennis Tresvalles also spoke to the father “TAY, KAILANGAN KO YONG YUNG OR CR NG SASAKYAN NINYO”. Apparently, Dennis would meet with the father the next day to receive the OR/CR of the car.

At 7 PM Dennis Tresvalles ordered Noel Tresvalles to get food. Noel brought rice and mongo. Later, Conrad Hocson arrived, saying: SABI KO, PARE BABALIK AKO”. Then Dennis, Conrad and Jan Arad ate together. (Page 102 TSN, November 14, 2002). Thereafter, Jan Arad rested, and Dennis and Conrad went out of the room.

It was Wednesday when Dennis Tresvalles told Jan Arad he could go home soon. At dawn on Thursday, August 29, 2002, Dennis Tresvalles and Allan Garcia awakened Jan Arad to say that he was free. Dennis Tresvalles drove the car up to Skynet Street, Moonwalk Village, Las Pinas City, Dennis said to Jan Arad: “Brod, that is our house”. Noel Tresvalles, Allan Garcia, Dominador Layalan and Gonzalo Quario alighted. Jan was told to sit himself on the driver’s seat. Dennis Tresvalles gave the xerox copies of the original driver’s license.

Before parting, Dennis Tresvalles embraced Jan Arad and said, “Brod, pasensiya ka na, talaga nangangailangan lang talaga kami ng pera, balang araw makakabawi din kami sa yo.” Jan Arad then drove off and reached home at 4:30 AM. His parents inquired what had happened. The record indicates that Jan Arad was not so eager to reveal to his parents everything that happened because after all he was home and safe, and was perhaps sympathetic with his abductors. This is similar to the condition known as the Stockholm syndrome which first took a foothold in psychology as a result of an abduction during a bank robbery in Stockholm, Sweden and later gained popular currency in the famous kidnapping case of Patty Hearst. Jan Arad said there was no need to involve the police, a situation which to him could anger his abductors into taking revenge. But his parents replied that as early as the first day of his disappearance, they had already informed the police. (TSN dated September 30, 2003 pp 1-77).

To make a long story short, the parents prevailed, and the police were called. In the early morning of August 29, 2002, police teams were dispatched to conduct pursuit operations swiftly. Jan Arad led the police to the suspects, including the location of the so-called safe-house, and identified his abductors at the moment of arrest. As aforesaid, all except Leclec were quickly arrested.[2]

On 3 September 2002, Conrado Jocson y De Guzman @ Conrad, Dennis Tresvalles y Lachica @ Tres, Noel Tresvalles y Lachica @ Ingkong, Gonzalo Quario y Rayos, Dominador Layalan, Jr. y Tiongson @ Ador, Allan Garcia Y Papa @ Kuya Allan and @ Leclec were charged in an Information dated 2 September 2002 for the crime of Kidnapping for Ransom defined and punishable under Article 267 of the Revised Penal Code, as amended, by Republic Act No. 7659, committed as follows:

That during the period August 25 to 29, 2002 at around 2:00 in the morning, in Las Piñas City, Metro Manila, Philippines and within the jurisdiction of this Honorable Court the above-named accused, conspiring,

confederating and mutually helping one other, (sic) with threats and intimidation did then and there, and with the use of firearms willfully, unlawfully and feloniously take, carry away and deprive Jan Arad Fernandez, male, of his liberty against his will for the purpose of extorting money as in fact a demand for money in the amount of One Million Pesos Philippine Currency (P1,000,000.00) was made as a condition for his release that the amount of P14,000.00 ransom money was actually paid and also the Official Receipt of a Mitsubishi Lancer motor vehicle as part of the ransom.

CONTRARY TO LAW.[3]

On 24 October 2009, all accused, assisted by their respective counsel, except @ Leclec, who remained at large, pleaded Not Guilty to the crime charged.[4]

On 14 November 2002, pre-trial was held. Thereafter, trial ensued.

In a Decision dated 18 October 2010,[5] the trial court found the said accused guilty of the crime charged and disposed of the case in the manner aforestated.

Undaunted, accused-appellants perfected the instant appeal, contending that:

I

THE TRIAL COURT GRAVELY ERRED IN CONVICTING THE ACCUSED-APPELLANTS OF THE CRIME CHARGED DESPITE THE PROSECUTION'S FAILURE TO PROVE THE IDENTITY OF THE PERPETRATORS WITH MORAL CERTAINTY.

II

THE TRIAL COURT GRAVELY ERRED IN RULING THAT CONSPIRACY EXISTS AMONG THE ACCUSED-APPELLANTS.[6]

The appeal is not meritorious.

As regards their first assigned error, accused-appellants contend that the trial court committed an error in finding them guilty of the crime charged despite the failure of the prosecution to establish the identities of the perpetrators with moral certainty because the victim did not have sufficient opportunity to look at the faces of the accused-appellants.

We are not persuaded.

Prosecution evidence has clearly established the identities of the accused-appellants as the ones who abducted the victim for ransom. While Jan Arad Fernandez was instructed by his captors not to look at them at the onset of his captivity, however, he got a close encounter with them at the safehouse where he was detained. At the safehouse, Jan Arad Fernandez identified accused-appellant Gonzalo Quario and accused @ Leclec as the two (2) persons who tied and told him to sit down,[7] accused-appellants Dennis Tresvalles and Allan Garcia as the ones who awakened him to eat.[8] He asked the time from accused-appellant Dennis Tresvalles,[9] while accused-appellant Gonzalo Quario and accused @ Leclec were the ones guarding him.[10] It was accused-appellant Dennis

Tresvalles who said to him, “PASENSIYA KA NA SA NANGYARI, NATIYEMPUHAN KA LANG NAMIN TALAGA” and ordered accused-appellant Gonzalo Quario to untie him, ordered the latter accused-appellant and accused @ Leclec to get food.[11] Thereafter, accused-appellant Dennis Tresvalles entered the room and told the other accused-appellants Noel Tresvalles, Gonzalo Quario and accused @ Leclec and Conrado Jocson that: “DITO NALANG KAYO MAGLARO, WALANG KASAMA SI ARAD.”[12] He saw accused-appellants Noel Tresvalles, Gonzalo Quario, and accused Conrado Jocson and @ Leclec playing cards and saw them with a foil, sniffed something using a water pipe, which he believed to be shabu.[13] All along that they were inside the safehouse, accused-appellants Noel Tresvalles and Dominador Layalan, Jr. had an altercation and accused-appellant Allan Garcia stopped them.[14] It was accused-appellant Allan Garcia who asked him, “BAKIT KA PINAGKAKATIWALAAN NG KAIBIGAN KO?”[15] The victim also testified that he had a close encounter with his captors when he was about to be released by them where accused-appellant Dennis Tresvalles drove the car up to Skynet Street, Moonwalk Village, Las Piñas City. Accused-appellant Dennis Tresvalles even told him, “Brod, that is our house.” Then, accused-appellants Dennis Tresvalles, Noel Tresvalles, Allan Garcia, Dominador Layalan, Jr. and Gonzalo Quario alighted along Skynet Street opposite the house Dennis Tresvalles pointed as his.[16] Perforce, the identification of all the accused-appellants by the victim is beyond question.

It is settled that when the issue is one (1) of credibility of witnesses, appellate courts will generally not disturb the findings of the trial courts considering that the latter are in a better position to decide the question as they have heard the witnesses and observed their deportment and manner of testifying during the trial. It is for this reason that the findings of the trial court are given the highest degree of respect. These findings will not ordinarily be disturbed by an appellate court absent any clear showing that the trial court has overlooked, misunderstood, or misapplied some facts or circumstances of weight or substance which could very well affect the outcome of the case.[17] In the present case, We do not see any clear showing that the trial court had overlooked, misunderstood, or misapplied some facts or circumstances of weight or substance which would warrant the acquittal of the accused-appellants from the crime charged.

The Court gives great weight and respect to the foregoing RTC findings and conclusions which were chiefly based on its evaluation of the credibility of the witnesses, and the veracity and probative value of said witnesses' testimonies. The matter of assigning values to declarations on the witness stand is best and most competently performed by the trial judge, who had the unmatched opportunity to observe the witnesses and to assess their credibility by the various indicia available but not reflected on the record. The demeanor of the person on the stand can draw the line between fact and fancy. The forthright answer or the hesitant pause, the quivering voice or the angry tone, the flustered look or the sincere gaze, the modest blush or the guilty blanch — these can reveal if the witness is telling the truth or lying through his teeth.[18]

Equally undeserving of consideration are the accused-appellant's defense of denial and alibi. Alibi cannot prevail over the positive testimony of the victim himself Jan Arad Fernandez with no improper motive to testify falsely against them. As aptly observed by the trial court:

All the accused testified without cross-examination due to the prosecution's continuing objection over issues of procedure. The versions of the five accused who were denied bail by this court on the ground that the evidence against them was strong may be summarized as follows:

ALLAN PAPA GARCIA claims alibi. On August 25, 2002, at 2:00 am when the kidnapping happened. Allan

was at home sleeping. He also claims that his work was to cook “balot” which required his presence at home for the period August 26-29. He admits relationship with the brothers Dennis and Noel Tresvalles who were his kumpadres. He also knows Conrad Hocson but they had no relation. He does not know Dominador Layalan. The rest of his testimony adverts to the manner of his arrest on August 29, 2002 at 11:30 PM while he was waiting for a ride home. In short, he denounces his arrest by the police as violent. (TSN February 12, 2007, pp. 1-16).

NOEL TRESVALLES is a dispatcher/barker for passengers in Baclaran, and he worked from 7:00 PM to 7 AM. He claims alibi on August 25, 2002 at his place of work in Baclaran on August 29, 2002 at 4:00 AM. He claims surprise when the police arrested him in his home. He says he had no acquaintance with Conrado Hocson and Dominador Layalan. (TSN February 12, 2007 pp. 18-26)

DOMINADOR TIONGSON LAYALAN, JR. was an appliance helper from 7:00 AM to 7:00 PM. From August 25-29, 2002, he was employed in the “pahulugan” on extra basis. On non-working days, he usually stayed at home. He also claims alibi on August 25, 2002 at 2:00 AM, saying that he was at home taking care of his nephew. The rest of his testimony centered on the manner of his arrest on August 29, 2002 without a warrant shown by the police. He states that he only met for the first time Allan Garcia, Conrado Hocson, Dennis and Noel Tresvalles at Camp Pantaleon where the accused were brought. (TSN February 12, 2007 pp. 28-37)

DENNIS TRESVALLES worked as a driver. On August 24, 2002, he was at home because he did not have any trip. On August 25, 2002, he had a trip from morning until 8:00 AM (sic) in the evening. In the evening of August 25 to 28, he was at home. The rest of his testimony centered on the manner of his arrest on August 29, 2002 at home without a warrant shown by the police. (TSN October 20, 2008 pp 16-19)

GONZALO QUARIO claims to be a fruit vendor in a market in Biñan, Laguna from 7:00 p.m. Until morning. He claims alibi, saying that in the morning of August 25-29, 2002, he was at home. He was surprised why he was arrested at home without a warrant on August 29, 2002. (TSN October 20, 2008 pp 21-26)[19]

Between the positive and categorical testimony of the victim himself that the accused-appellants were the author of the crime, on one hand, and their substantiated denials on the other, We are inclined to uphold the former.

Anent their second assigned error, accused-appellants contend that the trial court committed an error in holding them all liable for kidnapping for ransom because conspiracy was not proven with the same degree as the crime itself.

We are likewise not persuaded.

Conspiracy exists when two or more persons come to an agreement concerning a felony and decide to commit it. It may be inferred from the acts of the accused before, during or after the commission of the crime which, when taken together, would be enough to reveal a community of criminal design, as the proof of conspiracy is frequently made by evidence of a chain of circumstances.[20] While it is mandatory to prove it by competent evidence, direct proof is not essential to show conspiracy — it may be deduced from the mode, method, and manner by which the offense was perpetrated, or inferred from the acts of the accused themselves when such acts point to a joint purpose and design, concerted action and community of interest.[21]

In the present case, the facts and evidence clearly established conspiracy. The manner by which accused-appellants committed the crime reveals a community of criminal design and unity in its execution. As pointed out by the trial court, viz:

But the above-named five accused were pointed to by Jan Arad as having performed acts of (1) abduction, (2) guarding the hostage, (3) demanding ransom and (4) obedience to commands by the apparent leaders of the group. The first three acts are culpable per se, while the acts of obedience may indicate unity of criminal purpose only if left unexplained by the obedient actor. The record satisfies the court that the above-named accused knew from the start what the plot was all about, and they eventually converged in a common safehouse and maintained their presence there throughout the period until small ransom was paid, and until the abductee was set free to go home,, with some of them even accompanying him. xxx.

In fine, We find no reversible errors committed by the trial court in holding the accused-appellants guilty of the crime charged.

Finally, in line with jurisprudence, the amounts of P100,000.00 as civil indemnity, P100,000.00 as moral damages and P100,000.00 as exemplary damages are also imposed against the accused-appellants following the Decision of the Supreme Court in *People vs. Gamboa*.^[22]

The accused-appellants who are principals to the crime shall be jointly and severally liable for these amounts awarded in favor of the victim. Moreover, these amounts shall accrue interest at the rate of six percent (6%) per annum, to earn from the date of the finality of the Court's Decision until fully paid.^[23]

WHEREFORE, the Decision dated 29 January 2009, of the Regional Trial Court, Branch 275, Las Piñas City, in Criminal Case No. 02-0710 is hereby AFFIRMED with MODIFICATION in that the amounts of P100,000.00 as civil indemnity, P100,000.00 as moral damages and P100,000.00 as exemplary damages are also awarded against all the accused-appellants who are jointly and severally liable to the victim. All the monetary awards for damages, shall earn annual interest at the legal rate of six percent (6%) from the date of finality of this Decision until fully paid.^[24] No costs.

SO ORDERED.

Dimaampao, (Chairperson), and Sadang, JJ., concur.

[1] Ibid., p 7 of the Decision dated 18 October 2010.

[2] Ibid., pp. 2-3 of the Decision dated 18 October 2010.

[3] Records, Volume I, pp. 12-15.

[4] Records, Volume I, pp. 75; 75-76.

[5] Ibid., Decision dated 18 October 2010.

[6] Rollo, p. 1-2 of the Brief for the Accused-Appellants, pp. 84-111.

[7] TSN, 14 November 2002, p. 74.

[8] TSN, 14 November 2002, p. 74.

[9] TSN, 14 November 2002, pp. 74-75.

- [10] TSN, 14 November 2002, p. 76.
- [11] TSN, 14 November 2002, pp 77-78
- [12] TSN, 14 November 2002, pp 749-80.
- [13] TSN, 14 November 2002, pp. 80-82.
- [14] TSN, 14 November 2002, p. 88.
- [15] TSN, 14 November 2002, p. 92.
- [16] TSN, 14 November 2002, p. 92.TSN, 14 November 2002, p. 123.
- [17] People of the Philippines vs. Rustico Bartolino y Ampis, G.R. No. 179498, August 3, 2010, 626 SCRA 527.
- [18] People of the Philippines vs. Dante Dejillo and Gervacio “Dongkoy” Hoyle, Jr., G.R. No. 185005, December 10, 2012, 687 SCRA 537.
- [19] Ibid., pp. 4-5 of the Decision dated 29 January 2009.
- [20] People vs. Maglente y Medina, G.R. No. 201445, November 27, 2013.
- [21] People vs. Allan Niegas y Fallore, G.R. No. 194582, November 27, 2013.
- [22] G.R. No. 172707, October 1, 2013.
- [23] People vs. Jonathan Con-ui and Ramil Maca, G.R. No. 205442, December 11, 2013.
- [24] Ibid.

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.