

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS. LEONARDO EGIDO, DEFENDANT AND APPELLANT.

G.R. No. L-4217. January 31, 1952

Ponente: PARAS, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/8ab886a54fb1/>

PARAS, C.J.:

The defendant Leonardo Egido was charged in the Court of First Instance of Negros Occidental with the crime of robbery under the following information:

"That on or about October 20, 1949, at Hda. San Ramon, municipality of Cadiz, Province of Negros Occidental and within the jurisdiction of this Honorable Court, the herein accused, taking advantage of the darkness of the night, did, then and there, enter the house of one Jose Egido through the window, an opening not intended for entrance or egress, and with the intent of gain, and with the use of violence and intimidation against said Jose Egido and his wife, and once inside, did then and there, willfully, unlawfully and feloniously, take, steal and carry, away with him, with the use of false keys cash in different denominations amounting to Eight Hundred Ninety-Four Pesos (P894) Philippine Currency, and one Smith & Wesson revolver caliber .38 SN-C-25187, valued at One Hundred Ninety Pesos (P190), all belonging to the offended party, Jose Egido, to the damage and prejudice of the latter in the total sum of one thousand eighty-four pesos (P1,084), Philippine Currency.

"In the commission of the crime the aggravating circumstance concurs: That the crime was committed during night time. Contrary to law."

Upon a plea of guilty, the Court of First Instance of Negros Occidental convicted the defendant as charged, and, in view of the mitigating circumstance of plea of guilty and the aggravating circumstance of nocturnity, sentenced him to an indeterminate penalty of from 8 years and 1 day, prision mayor, to 14 years, 8 months and 1 day, reclusion temporal, to indemnify the offended party in the sum of P894, without subsidiary imprisonment in case of insolvency. From this judgment the defendant appealed and his counsel de oficio contends (1) that the trial court erred in taking into account nighttime as an aggravating circumstance, and (2) that the trial court erred in fixing the penalty.

It appearing that the appellant pleaded guilty to the information which specifically alleged that he took advantage of the darkness of the night and that the commission of the crime was aggravated by said circumstance, the trial court committed no error in appreciating said circumstance, because by pleading guilty the appellant admitted all the material facts alleged in the information.

However, an error was committed in the imposition of the penalty. Since the controlling element alleged in the information is the use of violence and intimidation against the offended parties, without specification sufficient to make the crime fall under paragraphs 1 to 4 of article 294 of the Revised Penal Code, the robbery charged necessarily has to come under paragraph 5 of said article which provides the penalty of prision correccional in its maximum period to prision mayor in its medium period "in other cases" of robbery qualified by violence or intimidation against persons. As there is one mitigating circumstance and one aggravating circumstance, the

penalty should be imposed in the medium period.

It being understood that the appellant is sentenced to an indeterminate penalty of from 4 years and 2 months, prision correccional, to 8 years, prision mayor, the appealed judgment is in all other respects affirmed with costs. So ordered.

Pablo, Bengzon, Padilla, Tuason, Montemayor, Reyes, Jugo, and Bautista Angelo, 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.