

EL PUEBLO DE FILIPINAS, QUERELLANTE Y APELADO, CONTRA ELISA TANDAG, ACUSADA Y APELANTE.

G.R. No. L-2251. May 24, 1949

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DERECHO PENAL; PARRICIDIO; PRUEBA DE EXCULPACION.—La exculpacion, en caso de homicidio, como defensa propia, es una alegacion afirmativa que debe ser demostrada con pruebas convincentes y no de dudosa veracidad; en caso contrario, la condena del acusado es forzosa.

Moran, Pres., Ozaeta, Paras, Feria, Perfecto, Bengzon, Tuason, Montemayor, y Reyes, MM., estan conformes.

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