

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
REMEGIO MORALES Y DE GUIA, MARIO ILAW, JUANITO ILAW AND
FELICIANO ARMEDILLA, ACCUSED-APPELLANTS.**

G.R. Nos. L-48631-32. November 29, 1984

Ponente: CONCEPCION, JR., J.

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CONCEPCION, JR., J.:

Remegio Morales was charged with four (4) crimes of Murder in four (4) separate informations filed with the Court of First Instance of Laguna, docketed therein as Crim. Case Nos. 135-SP, 136-SP, 137-SP, and 138-SP, for the killing of Hermogenes Cayube, Graciano Cayube, Manolito Cayube and Ricardo Cayube, respectively, sometime on December 9, 1970 in San Pablo City. When arraigned, he pleaded not guilty and trial on the merits commenced on February 4, 1971.

On March 11, 1971, however, Remegio Morales executed an affidavit implicating Mario Ilaw, Juanito Ilaw and Feliciano Armedilla in the commission of the said crimes and asked for the re-investigation of the said cases.[1] The motion was granted and after a re-investigation, the Fiscal moved to amend the informations to include Mario Ilaw, Juanito Ilaw and Feliciano Armedilla as defendants.[2] Upon learning that they had been included in the informations, Mario Ilaw, Juanito Ilaw and Feliciano Armedilla went into hiding and eluded arrest. It was not until June 9, 1972 when the said three accused were arraigned and pleaded not guilty to the charges.[3]

On July 14, 1972, the Fiscal, with the conformity of the accused Remegio Morales, asked for the latter's discharge in the four (4) cases so that he may be utilized as a government witness.[4] The motion was opposed by Mario Ilaw, Juanito Ilaw and Feliciano Armedilla on the ground that Morales was not the least guilty.[5]

On October 17, 1972, the trial court, for reasons stated in its order, granted the petition to discharge Morales in Crim. Case Nos. 137-SP and 138-SP, but denied the petition insofar as Crim. Case Nos. 135-SP and 136-SP are concerned.[6] Mario Ilaw, Juanito Ilaw and Feliciano Armedilla moved for the reconsideration of the said order, but the trial court denied their motion. The trial court also denied the Manifestation of the Fiscal asking to withdraw his petition to discharge Morales. Consequently, Mario Ilaw, Juanito Ilaw and Feliciano Armedilla appealed to the Supreme Court, but the Court dismissed their petition on January 25, 1973.[7]

On December 5, 1972, the accused Morales asked for a separate trial,[8] but, withdrew his motion on December 15, 1972.[9]

Trial was consequently held, after which the Court rendered the following judgment:

"WHEREFORE, the Court finds the accused Remegio Morales y de Guia, Mario Ilaw, Juanito Ilaw and Feliciano Armedilla guilty beyond reasonable doubt of murder as charged in the information in Crim. Case No. 135-SP for the killing of Hermogenes Cayube and hereby sentences each accused to suffer reclusion perpetua to indemnify jointly and severally the heirs of the victim in the sum of P12,000.00, and to pay the costs.

"In Crim. Case No. 136-SP the Court also finds the four (4) accused Remegio Morales y de Guia, Mario Ilaw,

Juanito Ilaw and Feliciano Armedilla guilty beyond reasonable doubt of murder as charged in the information for the killing of Graciano Cayube and hereby sentences each of said accused to suffer reclusion perpetua to indemnify jointly and severally the heirs of the victim in the sum of P12,000.00, and to pay the costs.

"In Crim. Case No. 137-SP the Court finds the accused Mario Ilaw, Juanito Ilaw and Feliciano Armedilla guilty beyond reasonable doubt of murder as charged in the information for the killing of Manolito Cayube and hereby sentences each accused to suffer reclusion perpetua, to indemnify jointly and severally the heirs of the victim in the sum of P12,000.00, and to pay the costs.

"In Crim. Case No. 138-SP the Court finds the accused Mario Ilaw, Juanito Ilaw and Feliciano Armedilla guilty beyond reasonable doubt of murder as charged in the information for the killing of Ricardo Cayube and hereby sentences each accused to suffer reclusion perpetua, to indemnify jointly and severally the heirs of the victim in the sum of P12,000.00, and to pay the costs."

Hence, the present appeal.

The People's version of the facts of the case, as contained in its Brief, is as follows:

"In 1970, Remegio Morales was residing in the coconut plantation of Norberto Ilaw situated in Barrio Malamig, San Pablo City, Laguna. He used to plant under coconut trees. During coconut harvests, he would work as a coconut husker. He was on one occasion, given a female carabao by Norberto Ilaw's wife, to take care of under the 'iwihan' system, (p. 7, tsn., June 15, 1973, pp. 13-15, tsn., September 11, 1975).

"On December 7, 1970 at around 5:00 A.M. Morales found that the female carabao entrusted to him was no longer in the corral beside his house. He then went to the house of Feliciano Armedilla, a son-in-law of Norberto Ilaw, to notify the latter of the loss. Armedilla told Morales that they would look for the missing carabao. Morales and Armedilla went to the house of Mario Ilaw, a son of Norberto Ilaw, also to notify Mario of the loss. The three proceeded towards a place called "Batuhan" to look for the missing carabao. (pp. 8-14, tsn., June 15, 1973). They started their search at around 7:00 A.M. and returned home at 4:00 P.M. (pp. 20-21, tsn., June 15, 1973). Failing in their search, Mario Ilaw, Remegio Morales and Feliciano Armedilla went to the latter's house. In Armedilla's house, Mario Ilaw stated that if after three (3) days, they could not find the carabao, they would kill the Cayubes. (pp. 21-22, tsn., June 15, 1973). Morales then told Mario Ilaw that he will leave the place, but the latter prevailed on him not to as he would not do the killing. Afterwards, Morales went home. (pp. 25-26, tsn., June 15, 1973).

"On December 9, 1970, at around 10:00 P.M., Mario Ilaw, Feliciano Armedilla and Juanito Ilaw arrived at the house of Morales. Mario and Juanito were carrying carbines, Feliciano was carrying a 'bayong.' Mario Ilaw called 'Ime' 'Ime' and Morales answered 'ho.' Mario told Morales to go with them as they were going some place. Morales answered 'Oho.' (pp. 15, 18-20, tsn., August 28, 1973).

"All the four accused went in an easterly direction, towards the house of Ricardo Cayube. The dog barked as the four approached the house, at which, Ricardo and Manolito Cayube looked out thru the door by the kitchen. At that moment, Mario Ilaw shot Ricardo and Manolito Cayube with his carbine, (pp. 31-34, tsn., June 15, 1973). Mario Ilaw shot Ricardo and Manolito Cayube while hiding behind a coconut tree. Juanito Ilaw and Feliciano Armedilla were lying, prone on the ground, while Morales was beside a coconut tree. (pp. 42-45, tsn., March 25, 1974).

"From Ricardo Cayube's house, all four accused went westward, towards the house of Graciano Cayube, one-half kilometer away. When the four accused reached the house, they saw Hermogenes Cayube near the camarin while Graciano Cayube was by the side of his house. Juanito Ilaw shot Hermogenes and Graciano Cayube with his carbine (pp. 36-38, tsn., June 15, 1973). All four accused were standing beside a coconut tree when Juanito Ilaw shot Hermogenes and Graciano Cayube. (pp. 42-44, tsn., March 25, 1979).

"From the house of Graciano Cayube all four accused went to the house of Feliciano Armedilla, one kilometer

away, where Mario and Juanito Ilaw took a bath with vinegar. After putting on their clothes, they told Morales to keep silent, (pp. 39-42, tsn., June 15, 1973). Morales went home at around 4:00 A.M. of December 10, 1970 (p. 23, tsn, August 28, 1973).

"At around 12:00 midnight on December 9, 1970, Gil Amante, then Barrio Captain of Barrio Malamig, San Pablo City, Laguna, received a report from Sergio Cayube, son of Graciano Cayube, that his father had been killed. Amante, upon receipt of the report, proceeded to the police precinct at the public market, then to the police headquarters at San Pablo to report the killing. At the police headquarters, he talked to Corporal Augusto Fule and Sergeant Dequito.

"That same morning, Amante, Fule, Dequito and other policemen went to Barrio Malamig. Upon reaching the house of Ricardo Cayube, they saw the dead bodies of Ricardo Cayube and Manolito Cayube inside the house. The police looked for empty gun shells. They found sixteen (16) empty carbine shells .30 caliber, thirty-one (31) feet west of Ricardo Cayube 's house, near a coconut tree (pp. 15-18, tsn., October 1, 1973; pp. 41, 47, tsn, June 3, 1974; Exhibit J, p. 15, Folder 1 Exhibits).

"From the house of Ricardo Cayube, the police went to the house of Graciano Cayube. They saw the body of Hermogenes Cayube on the ground near the house. They also found thirteen (13) empty carbine shells .30 caliber beside a young coconut tree. The body of Graciano Cayube was found later in the morning, (pp. 20-23, tsn., Oct. 1, 1973; pp. 72, 73, tsn., June 3, 1974; pp. 12-13, tsn., July 21, 1974; Exhibit K, p. 16, Folder 1 Exhibits).

'Doctor Francisco Perez, then City Health Officer of .San Pablo City, conducted the autopsy on the bodies of, and filed the necropsy report on, Graciano Cayube, Hermogenes Cayube, Manolito Cayube and Ricardo Cayube. (pp. 18, 24, 35,41, tsn., September 19, 1973, Exhibits A, B, D, F, pp. J, 4, 7, 18, Folder 1 Exhibits)."

The appellant Remegio Morales does not question the findings of fact of the lower court. As a matter of fact, the most relevant evidence of the prosecution against the accused-appellants is the testimony of the said Morales who consented to be a government witness. He claims, however, that the trial court erred in not granting his petition for a separate trial; in not discharging him in all the four cases where he testified as a government witness; and in convicting him for the killing of Graciano and Hermogenes Cayube.

We find no merit in the appellant's contention. The record not only shows that Morales failed to file a motion for a separate trial before the commencement of the trial, but that he also withdrew his motion for a separate trial. At the start of the hearing on December 15, 1972, the following incident transpired:

"COURT:

Evidence.

ATTY. TANALEGA:

When this case was called this morning, the prosecution headed by the Asst. City Fiscal himself had manifested that he is ready with the evidence of the prosecution on the four (4) cases against the accused.

In view of this manifestation and in plea before that the accused Remegio Morales, being a detention prisoner and entitled to speedy trial, I therefore withdraw my motion for separate trial, and I am willing to abide for the early presentation of the evidence of the prosecution.

COURT:

So, when are we going to start the trial?

ATTY. TANALEGA:

Now, your Honor

COURT:

So, the motion for separate trial is withdrawn."^[10]

The propriety of the appellant's discharge is also a matter that lies within the sound discretion of the trial court and the soundness of the exercise of that discretion was sustained by the Court when it dismissed the petition of Mario Ilaw, Juanito Ilaw and Feliciano Armedilla questioning the discharge of Morales to become a state witness.^[11]

We also find no error in the findings of the trial court that the appellant Morales had actively participated in the killings and in convicting him for the murder of Graciano and Hermogenes Cayube. The trial court said:

"The evidence clearly shows that he actively participated in the killings in the two places, first in the house of Ricardo Cayube where he was seen holding a gun and peeping inside the house of Ricardo Cayube; in the second house of Graciano Cayube, where he was seen standing over the felled body of Hermogenes Cayube barely 5 meters from the latter, holding a long gun. While there is no direct evidence showing that he fired the gun he was holding in either of the two houses, nonetheless his presence holding a long gun and very near the victims clearly show active participation in the killing in the first house of Ricardo, of Ricardo and his son Manolito and at the second house, in the killing of Hermogenes and Graciano Cayube. (Cf. People vs. Madera, 57 SCRA 349; People vs. Regal, 55 SCRA 703, People vs. Silvestre, 56 Phil. 363). The Court holds that the evidence in these cases has shown beyond peradventure of doubt the guilt of the accused Morales in the killing of Ricardo and Manolito Cayube but for which he could not be held criminally liable in view of the discharge, and also for the killing of Hermogenes and Graciano Cayube at the latter's house."

The appellant Mario Ilaw, Feliciano Armedilla and Juanito Ilaw, upon the other hand, denied participation in the commission of the crimes complained or" and claim that Remegio Morales, alone, committed the said crimes. Their defense is summarized by the trial court as follows:

"The defense of Mario Ilaw is denial. He denied the truth of the testimony both of Remegio Morales and Lourdes Moro that on the evening of the death of the Cayubes he and his brother Juanito and his brother-in-law Armedilla went to Morales' house and asked the latter to go with them (pp. 52- 53, Sess. of Mar. 3, 1975). In the evening of December 9, 1970 he was in his house with his wife (pp. 53-54, *ibid.*). In addition, the accused Mario Eaw declared that on one occasion when he went to visit Remegio Morales after the loss of the carabao, the latter told him that he (Morales) already knew who took the carabao, without mentioning names Morales said that if the carabao is not returned in four (4) days, he (Morales) will kill people (pp. 35-37, *ibid.*) thereby suggesting that it was Remegio Morales who killed the Cayubes. The wife of Mario Ilaw was not presented to corroborate Mario's claim that on the night in question he was in his house with his wife.

"The defense of Feliciano Armedilla is also one of denial. He denied the statement of Morales that he and his two brothers-in-law went to the place of Morales and asked the latter to accompany them to the houses of the Cayubes (p. 39, *ibid.*), since the time Morales reported to him the loss of the carabao, he has never gone to the house of Morales at nighttime (p. 45, *ibid.*).

"Juanito Ilaw on his part claims alibi. He claims that in the morning of December 9, 1970 (the killings occurred on the night of December 9) he together with a certain Francisco Batralo, also from Bo. San Diego where he was at the time residing, left for Bo. Abo in Nagcarlan, Laguna (pp. 12, 16, 21, Sess. Mar. 8, 1976) and did not

return until about 5:00 or 6:00 o'clock in the afternoon of December 11, 1970 (pp. 19, 21, *ibid.*)."

The only direct witness against the accused Mario Ilaw, Juanito Ilaw and Feliciano Armedilla was Remegio Morales, one of the principals in the commission of the crime. His testimony, as summarized by the trial court, is as follows:

"x x x that at about 10:00 o'clock in the evening of the third day after the loss of the carabao Mario Ilaw, Juanito Ilaw and Feliciano Armedilla went to his house. Mario Ilaw and Juanito Ilaw were each carrying a carbine, while Feliciano Armedilla was carrying a short caliber .22 gun (pp. 28-29, Sess. June 15, 1973). Asked to go along with them, he together with the three accused went first to the place of Ricardo Cayube. As they approached the house of Ricardo Cayube, the dogs barked. Ricardo and Manolito looked out of the door of the kitchen and it was at this precise moment that Mario Ilaw with the carbine he was carrying fired at Ricardo and Manolito. The four men then proceeded towards the west, the house of Graciano Cayube, situated about 1/2 kilometer from the house of Ricardo Cayube (pp. 36-37, *ibid.*). They found both Graciano and Hermogenes outside the house, Hennogenes being near the camarin while Graciano was beside the house (p. 38). Juanito Ilaw using a carbine with a short magazine fired at Hermogenes Cayube (p. 38). In the first house Mario Ilaw was standing when he fired at the Cayubes while Juanito Ilaw and Feliciano ArmediHa were both lying prone on the ground (p. 43, Sess. Mar. 25, 1974). In the second house (house of Graciano Cayube) all the three (referring to the two Ilaws and Armediila) were standing beside a coconut tree (p. 44, Sess. Mar. 25, 1974). In the first house of Ricardo Cayube, he (Remegio Morales) was standing one (1) armstretch from Mario Ilaw who was biding behind a coconut tree (p. 44, *ibid.*); in the second house, at the time Juanito Ilaw fired at Hermogenes, Mario Ilaw and Feliciano Armedilla were near the house (p. 39, Sess. June 15, 1973). Graciano Cayube was also hit (p. 39, *ibid.*). The fourmen then returned to the house of Feliciano Armedilla which was about one (1) kilometer away (pp. 39-40, *ibid.*)."

As this witness was one of the participants in the commission of the crimes, his statements must be received with caution, and his testimony is entitled to full faith and credit where it is corroborated by other competent evidence. In the cases at bar, the testimony of Remegio Morales with respect to the participation of Mario Ilaw, Juanito Ilaw and Feliciano Armedilla in the commission of the offenses is corroborated by the testimony of Lourdes Moro and Domingo Amante. Lourdes Moro declared that at about 10:00 o'clock in the evening of December 9, 1970, Mario Ilaw, Juanito Ilaw and Feliciano ArmediHa arrived at their house and asked her husband, Remegio Morales, to go with them; that Mario Ilaw and Juanito Ilaw were both carrying long firearms while Feliciano Armedilla was carrying a buri bag (bayong) and that her husband returned at about 4:00 o'clock the following morning and when she asked him where he had been, Remegio Morales answered that they came from the Cayubes and that Mario and Juanito Ilaw shot the Cayubes.

The gist of the testimony of Domingo Amante, as stated by the trial court, is as follows:

"Domingo Amante while in the house of Graciano Cayube saw Mario Ilaw, Juanito Ilaw, Feliciano Armedilla and Remegio Morales following one another in that order arrived (pp. 25-26, Sess. Jan. 4, 1977). Mario Ilaw and Juanito Ilaw were carrying a carbine while Feliciano Airmedilla was carrying a revolver in his hand and a caliber .22 rifle slung on his shoulder (pp. 25-27, *ibid.*). The group was seen walking in the direction of the place where Hermogenes Cayube was getting the horse (p. 29, *ibid.*). Shortly, firing of shots. As Graciano Cayube ran past him, Graciano Cayube uttered a grunt (napaagak) (p. 30, *ibid.*). The four accused after seeing that Hermogenes was dead left going towards their houses across the creek (p. 33, *ibid.*)."

The testimony of Remegio Morales is further corroborated by Eufrocina Cayube and Carmen Divino who both declared that they heard footfalls of several persons leaving the house of Graciano Cayube after the shooting and going towards the Malunod River thus showing that Remegio Morales was not alone that night, and the necropsy reports,[12] showing that the victims sustained multiple gunshot wounds, and the ballistic report[13] indicating

that the spent cartridges found in the vicinity of the houses of Ricardo and Graciano Cayube were fired from different firearms. There is a possibility that one person could have fired all the shots but, as the trial court said, such supposition will be premised on the hypothesis that the culprit was carrying two carbines, using one on one occasion, and the other on the other occasion which is highly improbable, if not absurd.

Since the testimony of Remegio Morales is corroborated by other competent evidence, his testimony against his co-accused is entitled to full faith and credit. Counsel for the appellants had assailed the trial court for giving credence to his testimony, as well as those of the other prosecution witnesses, but We find no cogent reason to disturb the findings of the trial court.

The testimony of Norberto Ilaw, father of Mario and Juanito Ilaw, and father-in-law of Feliciano Armedilla, is quite revealing. He declared that he provided Remegio Morales with the services of counsel from the Diokno Law Office and used to visit Morales in jail three (3) times a week during the early part of Morales' detention, and later, about twice a week. He also gave food to the family of Morales who moved in at the house of Feliciano Armedilla, upon the latter's invitation, soon after the arrest of Morales. Asked why he provided Morales with counsel, Norberto Ilaw recalled that a long time ago he went to his employer asking for money with which to redeem the horse entrusted to him which had gone astray and brought to the municipal corral, but his employer did not give him the needed amount; that he wanted to help Morales because he had benefited ("pinakikinabangan") from him and he believed that Morales is innocent. Considering, however, that Morales is not a relative, nor even his tenant, but a casual laborer in his coconut plantation, only something more imperative than playing samaritan must have impelled Norberto Ilaw to go out of his way and show unusual interest in the cases against Morales. And the reason for such unusual interest is not hard to find. Norberto Ilaw testified that one Sunday, one Juanito Cumalig approached him in the cockpit and told him to visit his boy ("bata") as the latter is about to make a turnabout (babaligtad). He left the cockpit early and paid Morales a visit. By "babaligtad" he understood it to mean that Morales would change his decision;

the former decision was to own the entire crime and the new decision is that he would implicate the three sons. There must have been a previous understanding with Morales that he would own the commission of the crimes and not implicate the sons otherwise, there would be no turnabout or "babaligtad" to speak of.

We also find intriguing that the appellants did not make a search for the missing carabao in the premises of the deceased Cayubes which was near the house of Remegio Morales where the carabao was last tethered, although Morales had told Norberto Ilaw that he suspected the Cayubes, who are notoriously known as bad people, for taking the carabao. They made a search for the missing carabao as far as the mountains to the east and as far as the Laguna Coco By- Products Compound at Barrio San Francisco Calihan to the west, and even to Barrios San Ignacio and Sta. Isabel, but never in the premises of the Cayubes which is very near the coconut plantation of Norberto Ilaw. Asked why the search party did not search the place of Ricardo Cayube, Norberto Ilaw gave the lame excuse that they were searching in the bushes because they thought that the carabao might be still tethered in these places and had not yet been taken away.

The proof, in our opinion, presented by the prosecution, consisting of the positive identification of the appellants Mario Ilaw, Juanito Ilaw and Feliciano Armedilla as the perpetrators of the crimes, made by Remegio Morales and Domingo Amante, as well as the corroborating evidence cited, abundantly sustains the conclusion of the trial court that the said appellants are guilty of the crimes charged.

The trial court also correctly found that the killings were characterized by alevosia as the attacks were sudden and unexpected and the victims were totally unprepared to make a defense.

WHEREFORE, with the modification that the indemnity to be paid to the victims should be increased to

P30,000.00 in each case, the judgment appealed from should be, as it is hereby, **AFFIRMED**. However, since the appellant Remegio Morales had turned state witness in all the four murder cases on the guarantee by the Government that he would be discharged from all the four cases, but was discharged only in two cases although he did testify for the Government in all the four cases to the extent of incriminating himself, the Clerk of Court is hereby directed to forward a copy of this decision to the President of the Philippines, through the Minister of Justice, for the consideration of the propriety of extending to the said appellant, Remegio Morales, the benefits of executive clemency after service of such period as may be deemed sufficient to satisfy the demands of justice and public welfare. With costs against the appellants.

SO ORDERED.

Aquino, Abad Santos, Escolin, and Cuevas, JJ., concur.

Makasiar (Chairman), J., partial dissent.

[1] Original Record, p. 38.[2] Id., p. 59.[3] Id., p. 187.[4] Id., p. 199.

[5] W..p.201.

[6] Id., p. 216.

[7] Ilaw vs. Reyes, G.R. Nos. L-16070-71, Jan. 25,1973.

[8] Original Record, p. 240.

[9] tsn. of Dec. 15,1972, p. 3.

[10] tsn. of Dec. 15, 1972, p. 3.

[11] Ilaw vs. Reyes, G.R. Nos. L-36070-71, Jan. 25, 1973.

[12] Exhs. A, B, D, and F.

[13] Exhibit H.

PARIAL DISSENT

MAKASIAR, J.:

Appellant Remegio Morales should also be acquitted in Criminal Cases Nos. 135- SP and 136-SP involving the killing respectively of Hermogenes Cayube and Graciano Cayube. There is nothing in the evidence on record that he participated in the killing of all the four victims. His presence at the time of the killing was merely because he was told by the Ilaw brothers to go with them to some place, after failing to locate the carabao which was placed in his care by the wife of his landlord, Norberto Ilaw, father of the two appellants—the Ilaw brothers. He had no choice as a dutiful tenant or even casual laborer in the coconut plantation of the Ilaw family. As a matter of fact, when they failed to locate the missing carabao on December 7, 1970, when appellant Mario Ilaw stated in the house of appellant Armedilla that if after three days they could not find the carabao, they would .kill the Cayubes, appellant Morales told appellant Ilaw that he would leave the place. But appellant Mario Ilaw "prevailed on him not to as he would not do the killing. Afterwards, appellant Morales went home" (p. 5, Majority Decision).

Furthermore, appellant Morales was never armed with any gun or weapon. Only the brothers Ilaw—Mario and

Juanito—were armed and who fired at the four victims with their carbines.

The record likewise insinuates that appellant Morales, being a tenant or casual laborer in the coconut plantation of the Ilaw family, was at first persuaded by Norberto Ilaw, father of the two appellants — the Ilaw brothers—to admit sole responsibility for the death of the four victims. The evidence shows that one Juanito Cumalig advised Norberto Ilaw to visit Morales in jail because he was about to make a turn-about by not owning the crimes, but instead will implicate his two sons (Ilaw brothers). Norberto Ilaw himself testified that while appellant Morales was in jail, he provided him with the legal services of the Diokno law office; that he used to visit Morales in jail 3 times a week during the early part of Morales' detention and later about twice a week; and that he gave food to the family of appellant Morales soon after the latter's arrest.

It thus appears that appellant Morales was being made the "fall guy" by the Ilaw family. His situation is analogous to the situation of appellant Holgado in *People vs. Holgado* who was also made by his landlord to plead guilty to the crime of slight illegal detention and his conviction thereof was reversed by the Supreme Court, which remanded the case for new trial (85 Phil. 752,757).

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