

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS.
ALFONSO PABLO, DEFENDANT AND APPELLANT.***G.R. No. L-4178. October 18, 1951*

Ponente: JUGO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/acf65030ad0c/>**JUGO, J.:**

Alfonso Pablo was accused before the Court of First Instance of Manila of robbery in an inhabited house, the value of the articles seized by him being placed at P440. Upon arraignment, waiving the assistance of counsel, he pleaded guilty. But, as he was a minor of 15 years at the time he committed the crime charged, the court, in its order of August 25, 1948, suspended further proceedings in accordance with article 80 of the Revised Penal Code and remanded him to the Philippine Training School for Boys until he shall have attained the age of majority or for a lesser period, depending upon the recommendation of the Social Welfare Commissioner.

On August 31, 1950, the Social Welfare Commissioner in her report to the Court stated that on September 20, 1948, Alfonso Pablo had escaped from the Philippine Train-ing School for boys and had been at large notwithstanding the efforts made to apprehend him; that on August 24, 1950, it was discovered that he was in the New Bilibid Prisons at Muntinglupa, Rizal, serving the indeterminate sentence of four (4) years, two (2) months and one (1) day to six (6) years of prisión correccional, imposed by Branch X of the Court of First Instance of Manila on two charges for robbery, Criminal Cases Nos. 10473, 10474; that as his age was stated; to be 15 years in the order of the Court of August 25, 1948, his age must be then more than 17 years. It was, therefore, recommended by the Commissioner that the regular punishment be imposed upon him in the present case, Criminal Case No. 7569. Accordingly, the court, on September 18, 1950, pronounced judgment imposing upon him the indeterminate penalty of from six (6) months of arresto mayor to four (4) years and two (2) months of prisión correccional, to indemnify the offended party in the sum of P200, with subsidiary imprisonment in case of insolvency, and to pay the costs. From this sentence the defendant appealed direct to this Court, for the reason that only the question of penalty is involved.

In his appeal, his counsel de oficio assigns only one error, to wit: "The Court a quo erred on the ground that the penalty imposed is not in accordance with law."

Let us, therefore, analyze the circumstances of the present case and determine the proper penalty that should be imposed.

The crime charged in the information to which the defendant pleaded guilty is that of robbery in an inhabited house by an unarmed person, the value of the articles subject of the robbery exceeding P250, the penalty for which is prisión mayor in accordance with article 299 of the Revised Penal Code. However, taking into consideration that Alfonso Pablo was only 15 years old when he committed the crime, the penalty next lower in degree should be imposed in its proper period, according to article 68, paragraph 2, Revised Penal Code, that is, prisión correccional. The fact that he pleaded guilty on arraignment should be considered only in imposing the minimum period of said penalty, for the circumstance of minority (which together with the plea of guilty would

constitute two miti-gating circumstances) has already been considered in lower-ing the penalty by one degree. The minimum period of prisión correccional is six (6) months and one (1) day to two (2) years and four (4) months. For the pur-poses of the Indeterminate Sentence Law the penalty of arresto mayor should be imposed in any of its degrees.

In view of the foregoing, the judgment appealed from is modified by imposing upon the defendant the indeter-minate penalty of from six (6) months arresto mayor to two (2) years and four (4) months of prisión correccional, affirming the sentence appealed from in all other respects. Without costs. So ordered.

Paras, C. J., Feria, Pablo, Bengzon, Padilla, Tuason, Reyes, 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.