

**PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE VS.
MANUEL STA. MARIA, ET AL., DEFENDANTS AND APPELLANTS.***G.R. No. L-19919. October 30, 1965*Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d55527c63530/>**PER CURIAM:**

Manuel Sta. Maria, et al. were charged with kidnapping with murder in an information filed before the Court of First Instance of Bulacan. When arraigned on February 9, 1960, all the accused pleaded not guilty. However, when the case came up for trial, Juanito dela Cruz, Alfonso Balinguit, and Ruperto Santos changed their former plea of not guilty and substituted it with one of guilty, as was likewise done by Restituto dela Cruz. Accordingly, the aforesaid four accused were sentenced to the penalty of death pursuant to Article 267 of the Revised Penal Code, as amended by Republic Act No. 1084.

Trial proceeded with respect to Manuel Sta. Maria, Francisco Sta. Maria and Ignacio de Guzman, who were also found guilty as charged, and sentenced each to the penalty of death. They were also ordered to indemnify, jointly and severally with the four accused mentioned before, the heirs of the deceased in the sum of P6,000.00, and to pay the proportionate costs of the case. By operation of law, the case was forwarded to this Court for review.

In the night of December 15, 1959, Sotero Reyes, a tractor operator of Benjamin Sanqui, slept in the barn owned by Domingo Sanqui located at Malibay, San Miguel, Bulacan. At the time those present at the barn were Domingo Sanqui himself, Teodoro Sanqui, and the family of one called Joe, which includes his wife and his son. Sotero went to sleep at around ten o'clock in the evening and at midnight he felt the urge to urinate when he heard a voice from the door of the barn calling, "Bigyan po tayo ng Dios ng magandang gabi." Peeping through a hole while lying down on his side, Sotero recognized the person who thus called Juanito dela Cruz who was then standing at the door of the barn. To that greeting, Domingo Sanqui responded saying: Magandang gabi po naman. Thereafter, Domingo Sanqui went down and talked to Dela Cruz at the door of the barn.

Juanito asked, "Could you take care of us here?", to which Sanqui answered, "It is possible." Sanqui inquired, "Who are you anyway?", to which Juanito replied, "We are policemen of San Miguel." Sanqui again asked, "Why did you come here at this unholy hour?", to which Juanito answered, "We are after an escapee since five o'clock and if it is possible, please take care of us here to rest." Sanqui acceded to the request stating that they will be allowed to sleep in the barn and pointing to something said: "Will that be alright for you?" Juanito answered in the affirmative. Then Sanqui added, "The only trouble is that we do not have mats." At this juncture, somebody from outside replied, "Is it alright for me to sleep in the jeep?", to which Juanito said, "It is alright here."

After the above conversation, Domingo Sanqui stepped out of the door and forthwith a person named Francisco Sta. Maria who was standing behind him pushed him so that Sanqui remarked, "What do you mean?" No sooner had he made this remark when he was held by a person on one of his hands while another held his other hand and then he was dragged toward the jeep parked nearby. As he was being dragged Sanqui kept on repeating, "What do you mean", until his voice could no longer be heard by Sotero and the other persons in the barn.

While Domingo Sanqui was being dragged his son Teodoro was behind Sotero. Teodoro believing that Sotero

was asleep tried to wake him up, but Sotero continued feigning to be asleep while at the same time peeping through the wall of the barn. At that moment Sotero saw two persons running toward the kitchen. A little later Sotero sensed that there were no other persons in the premises so that he slowly sat up and remained silent for sometime while outside a voice was heard saying, "Come down, you son of the old man Domingo."

Sotero tapped Teodoro by his arm to warn him not to talk and so both remained silent. The voice again was heard this time saying, "Nobody should dare move." After a while the persons left and Teodoro suggested that he and Sotero go to the house of Mang Kiko, a tenant of the old Domingo Sanqui. Mang Kiko was identified to be the accused Francisco Sta. Maria. Teodoro wanted to go to Mang Kiko to inform him of the incident but Sotero told him that it was better that they did not go there because he believed that the old man was taken to the hut of Mang Kiko and they might meet the malefactors there.

Then Teodoro suggested that the matter be reported to the PC, and as a counter-suggestion Sotero said that it would be better to go first to the house of Benjamin Sanqui to report the incident. While Sotero and Teodoro were thus talking Sotero saw a letter on the dining table which he recovered and handed to Teodoro. The two read the letter which turned out to be a ransom note written in lead pencil demanding P30,000.00 for the safe return of the old man which appears signed by "Mabalasik Commander." This letter was prepared by Manuel Sta. Maria upon instruction of Ignacio de Guzman. The pair of slippers worn by Sanqui was later recovered in the vicinity by a resident of Malibay.

In the meantime Domingo Sanqui was taken somewhere not far from the house of the victim. Then they proceeded to the mountain of Tela Kawa where upon arrival Francisco Sta. Maria handed a rifle to Ruperto Santos ordering him to shoot Sanqui. Santos demurred saying that he could not shoot an innocent man. Thereupon, Francisco Sta. Maria gave the gun to Alfonso Balinguit whom he ordered to shoot the victim and obeying said order Balinguit who was then in a squatting position fired at Domingo Sanqui who at the time was also squatting around five or six meters away. Balinguit only fired once as a result of which Sanqui fell to the ground. At the time the shot was fired Francisco Sta. Maria, Manuel Sta. Maria and Ignacio de Guzman were at the back of Alfonso Balinguit, Ruperto Santos and the old man. After Domingo Sanqui fell, Francisco Sta. Maria, Manuel Sta. Maria and Ignacio de Guzman told Ruperto Santos to approach the victim. Ruperto obeyed. Manuel Sta. Maria ordered Ruperto to hack the old man by the neck with the bolo with which he was provided. Santos followed the order. After this was done, Francisco Sta. Maria admonished Santos not to report the matter to the authorities. Afterwards they all went home.

On December 17, 1959, Major David S. Laureaga, Provincial Commander of Bulacan, received a report from one of his men informing him of the kidnapping of Domingo Sanqui, whereupon Laureaga, together with Capt. Sta. Rosa and two of his soldiers, repaired to the barn of Domingo Sanqui for the purpose of making an ocular inspection and carrying on an intelligence mission. They took their lunch at the barn. While they were taking their lunch three men whom they had seen before arrived; two of them were identified by Major Laureaga as Francisco Sta. Maria and Ignacio de Guzman. He asked them about the character of the victim to which Francisco Sta. Maria answered that he was a good man and kind to his tenants. After a while, Major Laureaga mentioned to them the ransom money that was asked by the kidnappers commenting as to the security that the courier should observe in bringing the money to the kidnappers, and upon hearing this comment Francisco Sta. Maria volunteered to bring the ransom money. Major Laureaga, however, said that in his opinion the relatives of the victim will not be able to produce the, amount of P30,000.00 because they did not have enough cash while the properties they had were in the name of the victim and so they could not mortgage them unless the victim was released. At this moment Ignacio de Guzman volunteered the information that the kidnappers were amenable to reducing the ransom money to P20,000.00. To this information Major Laureaga answered saying that the relatives of the victim

could not also raise the amount. After the major had mentioned to these men the deadline for the delivery of the ransom money, the three left after the major had sensed that they might have something to do with the kidnapping for which reason he asked his men to place them under surveillance.

Meanwhile, one Juanito dela Cruz was apprehended, and on December 23, 1959 he confessed his participation in the kidnapping of Domingo Sanqui. Because of this confession, Major Laureaga ordered the arrest of all the persons mentioned therein as having participated in the kidnapping, among whom were Restituto dela Cruz, Ruperto Santos, Manuel Sta. Maria, Francisco Sta. Maria and Ignacio de Guzman. After the arrest of Ruperto Santos and Alfonso Balinguit, they also made written confessions. These two even went with a search party that was formed to recover the body of the victim who, it turned out, was killed only a few hours after he was kidnapped.

Under the guidance of Ruperto Santos and Alfonso Balinguit, the body of the victim was found on December 23, 1959 in the mountains of Tela Kawa in an advanced state of decomposition with the head decapitated. The body was identified by Sotero Reyes as that of Domingo Sanqui. The body was brought to the municipal building of San Miguel where Dr. Romeo Tecson, Municipal Health Officer, performed an autopsy to determine the cause of his death. This was found to be multiple skull fracture and severe brain injury.

Manuel Sta. Maria denied the voluntariness of his confession. He testified that on the date in question at around 8:00 p.m., he was accosted by three persons who at the point of a gun took him to a hut where he was given a piece of paper and told to write what was going to be dictated to him; that it was Ruperto Santos who dictated him the contents of that letter; that after having written its contents he was allowed to go home; that on December 23, 1959, he was apprehended at his home at Kinamatayan Kabayo and then and there investigated; that in that investigation he was asked by a policeman about the kidnapping of Domingo Sanqui to which he answered that he did not know anything about it; that the investigator prepared a written statement supposedly containing his answers and afterwards he was made to sign it without even reading it; that he signed that statement because he was ordered to do so by the investigator.

Francisco Sta. Maria also denied the voluntariness of his confession. He testified that on the date in question he was at Malibay from morning till afternoon; that he learned of the kidnapping of Domingo Sanqui only the following day because of an information given him by a person; that he was not with Ruperto Santos on December 15, 1959 and did not have anything to do with the kidnapping.

Ignacio de Guzman testified that about 6:00 o'clock p.m. on December 15, 1959 he was in a farm picking up beans when he was passed by a group of person of whom he only knew Manuel Sta. Maria; that they went towards the barn of Domingo Sanqui but upon reaching a place about half kilometer away they were halted by Ruperto who told him to return home; that at that time Major Laureaga was in the hut and saw him pass by together with Francisco Sta. Maria; that on December 23, 1959 he was investigated at the PC headquarters where his confession was prepared and which he was made to sign even though its content was not true.

We will now discuss the issues raised by appellants.

Appellants Restituto dela Cruz, Alfonso Balinguit, Ruperto Santos and Juanito dela Cruz, contend through their counsel, that the trial court erred in finding them guilty notwithstanding the fact that there is no evidence to show that they understood their plea of guilty and its consequences.

This contention is not supported by the record, as we will presently show.

Let us begin with Restituto dela Cruz. Here it appears that when he was arraigned before the justice of the peace on January 5, 1960, he pleaded guilty. When he was arraigned again before the Court of First Instance of Bulacan

on February 6, 1960, assisted by his counsel, he pleaded not guilty. Thereafter, the case proceeded to trial and hearings were held on June 9 and September 13, 1960. At the continuation of the trial on September 15, 1960, the accused, through counsel, manifested his desire to withdraw his former plea of not guilty and to plead in lieu thereof one of guilty. Arraigned anew upon the information, this accused, assisted by counsel, voluntarily pleaded guilty notwithstanding the admonition made by the court that his plea of guilty would bring upon him the penalty of death, but in spite thereof he maintained his plea of guilty. As a matter of fact, this accused, according to his own testimony, understood the meaning and the consequence of a plea of guilty even before he was arraigned before the Court of First Instance of Bulacan.

With regard to Alfonso Balinguit and Ruperto Santos, the record also shows that they confessed before Sgt. Federico A. Fuertes of the Philippine Constabulary their participation in the crime when they were apprehended in Sta. Rita, San Miguel, Bulacan. However, upon arraignment on February 9, 1960, they pleaded not guilty. On September 13, 1960, they withdrew their former plea of not guilty and with the assistance of counsel, pleaded guilty, notwithstanding the admonition made to them by the court that their plea of guilty would carry the penalty of death. It is important to note that not only did these two accused confess to the crime but also accompanied the search party in the recovery of the victim who, it turned out, was killed only a few hours after he was kidnapped.

Juanito dela Cruz also confessed his participation in the kidnapping. Upon arraignment, however, on February 9, 1960, assisted by counsel, he pleaded not guilty. At the continuation of the trial on September 13, 1960, through counsel, he withdrew his former plea and voluntarily substituted it with a plea of guilty after having been asked if he understood the nature of the information and after having been informed by the court that his plea of guilty would bring upon him the death penalty. It is also significant to note that this accused admitted before Capt. Liwanag Sta. Rosa of the Philippine Constabulary that he was one of the kidnappers.

It is not therefore correct, as defense contends, that these four appellants, when they pleaded guilty, did not know the import of their plea. The record of this case disproves this claim.

Defense's contention that appellants Manuel Sta. Maria, Francisco Sta. Maria and Ignacio de Guzman were found guilty by the trial court even if the evidence against them does not show beyond reasonable doubt that they are guilty, is likewise devoid of merit, it appearing that the evidence on record, as we will hereinafter show, clearly establishes their guilt beyond reasonable doubt.

Thus, with regard to Manuel Sta. Maria, this much we find: Together with Francisco Sta. Maria and Ignacio de Guzman, this accused premeditated and planned to kidnap the victim for the purpose of extorting ransom; that Manuel Sta. Maria wrote the ransom note; that he assured his co-accused that he would take care of them after the commission of the felony; that in the night in question, together with his co-accused, he took the victim from the latter's hut at Malibay and brought him to Tela Kawa mountain; that after the victim was shot by Alfonso Balinguit, he ordered Ruperto Santos to hack the head of the victim; that he threatened to kill Ruperto Santos if the latter would not hack the victim as ordered; that upon his order Santos hacked the victim with a bolo and on December 23, 1959 he voluntarily signed his confession before the Justice of the Peace of Baliwag, Bulacan, Lorenzo B. Tecson.

With regard to Francisco Sta. Maria, the following also appears from the record: This accused, together with Manuel Sta. Maria and Ignacio de Guzman, premeditated and planned to kidnap the victim for ransom and later to kill him; that, together with these two, he took the victim from his hut in the night in question and brought him to Tela Kawa mountains; that he volunteered to bring the ransom money; that he ordered Ruperto Santos to shoot Domingo Sanqui and for this purpose he gave him a rifle; that when Ruperto Santos demurred to do the killing, he gave the rifle to Alfonso Balinguit ordering the latter to do the shooting; that upon his order Balinguit shot the

victim who was then in a squatting position; that he later admonished Santos not to report the matter to the authorities; and later he voluntarily signed a confession before the same Justice of the Peace of Baliwag, Bulacan.

Finally, with regard to Ignacio de Guzman, the record also shows the following: That he premeditated and planned, together with his co-accused, to kidnap the victim for ransom and later to kill him; that he instructed Manuel Sta. Maria to write the ransom note; that he was one of those who took Domingo Sanqui from his hut and brought him to Tela Kawa mountain; and later he voluntarily signed a confession before the same justice of the peace.

There can, therefore, be no doubt regarding the guilt of appellants Manuel Sta. Maria, Francisco Sta. Maria, and Ignacio de Guzman.

The claim that the alleged conspiracy of the seven appellants has not been established for the simple reason that there is no evidence on record showing that conspiracy other than the confessions made by appellants Juanito dela Cruz, Restituto dela Cruz, Alfonso Balinguit, and Ruperto Santos, has also no factual basis. Counsel for appellants loses sight of the fact that the confessions made by appellants Manuel Sta. Maria, Francisco Sta. Maria and Ignacio de Guzman corroborate the extrajudicial confessions made by the four appellants abovementioned thereby establishing the conspiracy of said appellants. Although an extrajudicial confession as a rule is evidence only against the person making it, nonetheless, the same may serve as a corroborative evidence if it is clear from other facts and circumstances that other persons had participated in the perpetration of the crime charged and proved (*People v. Padilla*, 48 Phil., 725).

Again, we find no merit in the claim that the lower court erred in admitting the confessions of Manuel Sta. Maria, Francisco Sta. Maria and Ignacio de Guzman notwithstanding the fact that their voluntariness was not sufficiently established, for the evidence shows that the voluntariness of said confessions appears supported by the testimony of Judge Lorenzo B. Tecson, Justice of the Peace of Baliwag, Bulacan, who made a certification at the bottom of each of the sworn statements certifying that each affiant read his statement and has freely and voluntarily signed it at the bottom after having been sworn under oath to the truth of its contents in the presence of two witnesses.

Nor can we entertain the claim that said confessions were given under threat, intimidation or violence for the same is not supported by any evidence other than their bare declaration to that effect. The weakness of this claim lies in the fact that these confessions were made before a justice of the peace whose intervention is in itself a guarantee that they were regularly taken.

Finally, we find no basis to the contention that the three appellants Manuel Sta. Maria, Francisco Sta. Maria and Ignacio de Guzman were sentenced to the penalty of death notwithstanding that the alleged aggravating circumstances should have been appreciated merely as modifying circumstances, because it is a fact clearly proven that the kidnapping was committed for the purpose of extorting ransom and the victim was murdered in the mountain of Tela Kawa. this fact alone justifies the imposition of death penalty pursuant to Article 267 of the Revised Penal Code, as amended by Republic Acts No. 18 and 1084.

Wherefore, it appearing that the seven appellants were convicted with evidence proving their guilt beyond reasonable doubt and the penalty imposed upon them is in accordance with law, we have no other alternative than to affirm, as we hereby do, the penalty imposed by the trial court.

However, following the recommendation of the Solicitor General that the penalty imposed upon appellants Restituto dela Cruz, Juanito dela Cruz, Alfonso Balinguit and Ruperto Santos be commuted to reclusion perpetua in view of their plea of guilty, we hereby modify the decision in this respect by commuting their penalty to reclusion perpetua.

Bengzon, C. J., Bautista Angelo, Concepcion, Dizon, Regala, Makalintal, Bengzon, J. P., and Zaldivar, JJ., concur.

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