

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. EDDIE BUENBRAZO, DEFENDANT-APPELLANT.*G.R. No. L-27852. November 29, 1968*

Ponente: DIZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/df55e6a3254c/>**DIZON, J.:**

Appellant Eddie Buenbrazo and Sulpicio Torino were charged with murder in the Court of First Instance of Misamis Occidental. As the latter remained at large for sometime, the case went on only against appellant who, after trial upon a plea of not guilty, was convicted as charged and sentenced to suffer the penalty of reclusion perpetua, with the accessory penalties of the law, to indemnify the heirs of the deceased Simplicio Talaroc in the sum of P6,000, without subsidiary imprisonment in case of insolvency, and to pay the costs.

It is not disputed that Simplicio Talaroc died of a stab wound inflicted upon him in the evening of November 27, 1965 at the wharf area of Ozamis City, Misamis Occidental.

Appellant admits having stabbed the deceased but claims that he did it in self-defense. It was, therefore, incumbent upon him to establish all the facts necessary to prove self-defense. In his brief he states what, according to him, were the circumstances under which he stabbed the deceased Simplicio Talaroc as follows:

"On a certain occasion before November 27, 1965, Eddie Buenbrazo was eating inside the store of Mrs. Gutierrez located at the wharf, Ozamiz City. Unexpectedly, Simplicio Talaroc came and asked Eddie Buenbrazo for a drink. In retort, the latter told the former that his money was just enough to pay for what he was eating. Utterly dismayed, Simplicio Talaroc went out of the store murmuring something.

"On November 27, 1965, at around 9 o'clock in the evening, Simplicio Talaroc with a compa-nion went to the dance at Katagalogan, Ozamiz City. A few moments after seeing the dance, he inquired from one Romeo Oligo, in-charge of the dance, as to where Eddie Buenbrazo was. The latter told the former that Eddie Buenbrazo was at the wharf waiting for a boat to work on. But Simplicio Talaroc got mad at Romeo Oligo, and sternly forewarned him that once he gets back to the dance and sees Eddie Buenbrazo thereat, he (Romeo Oligo) would be implicated in a case.

"Consequently, Simplicio Talaroc proceeded to the wharf. When he saw Eddie Buenbrazo coming out of the store of Mrs. Gutierrez, Simplicio Talaroc exclaimed, 'Here is Eddie!' Right then and there he rushed toward Eddie Buenbrazo, drew a hunting knife and thrust it upon him. But the latter parried the hunting knife by giving a sudden stroke with his open palm with straight fingers closed together to the right hand of the former which held the said weapon. The weapon dropped to the ground. Then Eddie Buenbrazo picked up the hunting knife and a vigorous struggle between the two ensued as one was trying to overpower the other, especially Eddie Buenbrazo who labored hard to defend his life and limbs against the homicidal assault of Simplicio Talaroc. When Simplicio Talaroc held the left hand of Eddie Buenbrazo with his two hands, the former pulled the latter. But Eddie Buenbrazo resisted and tried to get himself free from the hold of Simplicio Talaroc. Inorder to extricate himself, he stabbed the left arm of his assailant. Resultantly, he was released and so he ran away. He went to the house of his uncle, Luis Buenbrazo, at Katagalogan, Ozamiz City, where he was staying at that time.

"In that scuffle, Simplicio Talaroc sustained two stab wounds, one on his breast, left side, and the other on his left arm. But these wounds were caused by one thrust only."

As against the above, We have the testimony of several prosecution witnesses which, according to the lower court, established the following:

"It appears from the evidence for the prosecution that prior to November 27, 1965, the accused and the late Simplicio Talaroc had grudges. Between 9:00 and 10:00 in the evening of November 27, 1965, Simplicio Talaroc, Alan Perez, Rene Balatero, Aling Apdal and Diosdado Omelig were at the wharf, Ozamiz City. While they were conversing, the accused Eddie Buenbrazo, accompanied by one Torino, came. Torino placed his arm around the shoulders of Simplicio and engaged him in a conversation. While so conversing, the accused suddenly stabbed Simplicio with a pointed hunting knife, hitting him on his left breast. Torino faced Rene Balatero and asked him if he would defend Simplicio to which Balatero replied that he did not have anything to do with the incident. Torino nevertheless boxed him but he was not hit. In the meantime, Simplicio ran towards the PC Headquarters, followed by Rene Balatero, The others ran in different directions. Simplicio was at once brought to the Rico Medina Hospital, Ozamiz City, where Sgt. Bonifacio Engracia of the Ozamiz City Police Department took his dying declaration, Exhibit 'A'. Dr. Medina examined Simplicio and found on his body two injuries, one at the left arm and the other, on his left side. The injury on the left side was fatal. There was only one thrust. Cause of death was external hemorrhage, secondary to the stab wounds. Lt Tamparong, Sgt Bonifacio Engracia and other members of the Ozamiz City Police Department went to the house of the accused to arrest him. Upon reaching the premises, they were informed that the accused was in the house of his uncle, Luis Buenbrazo. Lt. Tamparong and companions proceeded to this house and inquired for the accused. When the accused appeared, Lt Tamparong asked him if he was the one who stabbed Simplicio Talaroc and he answered in the affirmative. He was also asked to produce the hunting knife used in stabbing Simplicio and he gave it to Lt. Tamparong who in turn delivered it to the sergeant of the guard."

Made to choose between the version given by the prosecution witnesses, on the one hand, and those of the defense, on the other, the trial court arrived at the definite conclusion that "the accused is guilty of murder" because while Simplicio Talaroc and four others were conversing merrily near the wharf, appellant, accompanied by Sulpicio Torino, arrived at the place; that immediately Torino placed his arm around Simplicio's shoulders and engaged him in a conversation; that suddenly appellant stabbed Simplicio on the latter's left arm, the weapon penetrating his side, as a result of which he died of hemorrhage.

We agree entirely with the lower court, particularly when it held that if the deceased, armed with a hunting knife, was really the first to attack appellant, the latter could not have avoided suffering physical injuries. The fact, however, is that he suffered no "injury at all, not even a scratch".

After a careful review of the record, We find no justification at all to change the findings and conclusions of the trial court with respect to the facts of the case.

WHEREFORE, the appealed decision is hereby affirmed, except that the indemnity of P6,000 to be paid by appellant to the heirs of the deceased is increased to P12,000.

As a result, our resolution of January 17, 1968 granting appellant's motion to be released on bail is set aside, and the bail bond submitted by him in that connection is hereby disapproved.

With costs.

Concepcion, C.J., Reyes, J.B.L., Makalintal, Zaldivar, Sanchez, Castro, Fernando, and Capistrano, 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.