

PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS. VICENTE RENDORA, DEFENDANT AND APPELLANT.

G.R. No. L-14356. September 30, 1959

Ponente: BENGZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/fc2f2aec2efa/>

BENGZON, J.:

Review of a judgment of the Court of First Instance of Leyte, finding defendant guilty of murder and sentencing him to suffer the penalty of reclusion perpetua.

DECISION

Sentenced after trial by the Leyte (Carigara) court of first instance, to a term of years for having killed Julianio Bodo, the accused Vicente Rendora resorted to the Court of Appeals. After reviewing the evidence, the latter court found him guilty of murder for which reclusion perpetua should be imposed. Wherefore, it forwarded the re to us for adjudication in accordance with law.

About midnight of Janaury 23, 1957, having noticed unusual activity among the chickens in his yard in Barrio Camansi, Carigara, Leyte, Julianio Bodo, went to investigate with a lighted torch. His wife Pastora followed with a flashlight. When she was still on top of the stairs, she flashed her light around, and in so doing she spotted Vicente Rendora, about six meters away, with a come back; the latter proceeded to do so; but before he had climbed the stairs, Vicente fired and he fell and died. The gunman left hurriedly after shouting "patas" which means "we are even." The shooting turned out to be in retaliation for the deadly assault earlier that evening of Victor Obaña (cousin of Vicente) supposedly killed by Eleno Bodo, brother of Julianio.

Roman Oribe, a neighbor, informed the barrio lieutenant Apolonio Dataylo, who immediately came to the house to make official inquiries. Pastora revealed to him in the presence of Mario Garcia councilor, that she saw Vicente Rendora shoot her husband. As other witnesses confirmed her story, Vicente Rendora, 39 single, was arrested on January 25, 1957, and legal proceedings stated soon thereafter.

Before the judge of first instance, Pastora related the events she had witnessed. She further declared that earlier that evening, Eleno Bodo came to their house to inform his brother Julianio that the relatives of Victor Obaña suspected him of having shot the latter. He then asked his brother to fetch his (Elano's) family and keep them in his (Juliano's) house. Accordingly, she and Julianio went to invite, and actually succeeded in bringing to their home, the family of Eleno (who by the way went somewhere else, probably trying to hide). Thereafter, the tragic shooting of Julianio occured. Confirming her narrative, Pelagio Tampol, who lived near the place (about 300 meters) told the judge that that night, answering a call of nature, he went own his residence, and accidentally saw Vicente Rendora with a gun on his shoulder walking in the direction of Julianio's residence upstream; and that a few moments later; he heard a detonation.

Other witnesses were the health officer, Dr. Martin Reyes, whose post-mortem corroborated Pastora's account and Apolonio Dataylo, the barrio lieutenant.

The defendant tried to prove that having lost his carabao on January 21, 1957, he looked for it in the nearby municipality of Tunga on the 23rd of the same month; that he requested help from the Chief of Police of Tunga; that the latter advised him to stick around just in case his lost animal was among those to be slaughtered and sold in the market; that he slept that night in the house of Jose Laurea, a resident of Tunga whom he had asked for assistance; that at 4 o'clock in the morning, Laurea woke him up; that later he returned empty-handed to Carigara only to be apprehended and charged with this murder.

Both the court of First Instance and the Court of Appeals refused to believe this alibi. For one thing, the Chief of Police of Tunga who declared in corroboration, admitted having made no notation in his police blotter of Rendora's reported loss of large cattle; and for another, as Tunga was only seven kilometers away, even by walking the accused could have gone to Camansi and returned in time for Laurea to wake him up at four in the morning.

On the other hand, a careful reading of the transcribed testimony suggests the probability that Vicente Rendora proceeded to Tunga on the 24th, and went through the motions described by his witnesses, later to insist he was there on the 23rd. In fact his own witness, Jose Laurea, swore to Rendora's having slept in his house the night before the arrest. And there is no question that Rendora was arrested on the 25th. Still more probable, Rendora went to Tunga either to surrender, as insinuated by the prosecution or simply to escape revenge from the Bodo family. We say this because he never mentioned his wandering animal either to the barrio lieutenant of Calamansi, or to the police of Carigara.

We discover no important flaw or inconsistency in the version of the prosecuting witnesses. To discredit Pastora, defense makes much of her having allegedly refrained from disclosing the identity of the killer to persons who had asked her. However, it is our experience that, very often those who except to the proper officials, or until they feel safe from any possible reprisal from the criminal.

On the other hand, she must have lost no time in reporting what she saw, because Vicente Rendora was arrested two days afterwards and the information was filed in due course.

The defense attorney dwells on the apparently incongruous statements Pastora made in demonstrating the manner in which Vicente held the gun. This is nothing to be wondered at. A woman is not usually interested in the way a gun is handled, for that is a man's business; so she could not be expected to be accurate specially because the excitement of the moment might have impeded observation of such details.

Defense says: If the deceased and the appellant were two to six meters apart and the gun was raised at breast or shoulder level, the bullet would not have traveled in a slightly upward direction. Julianano was already one step up the stairs, so much so that blood spilled on three steps. He was, therefore, on a higher plane than Vicente. Besides, as persons climbing stairs adopt a half-crouching or stooping position, the bullet even if travelling in a straight direction, entered the lumbar region and emerged on the epigastrium, one inch higher, the victim being at that instant slightly inclined forward.

On the whole evidence, we believe this prisoner is guilty beyond reasonable doubt of murder, qualified by treachery, the attack having been sudden, and with a firearm. Nighttime is absorbed by treachery. In the absence of other aggravating or mitigating circumstances, the medium penalty of reclusion perpetua [1] should be imposed, plus the civil indemnity of P3,000.00 specified by the trial judge. Thus modified as to the period of imprisonment, the appealed decision is affirmed, with costs. So ordered.

Paras, Padilla, Montemayor, Bautista Angelo, Labrador, Concepcion, Endencia Barrera and David, JJ., concur.

[1] Art. 248, Revised Penal Code.

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.