

**PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS.  
GREGORIO RAMIREZ, DEFENDANT AND APPELLANT.***G. R. No. 10951. October 23, 1958*

Ponente: ENDENCIA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-10951-2/>**ENDENCIA, J.:**

This is an appeal from the decision of the Court of First Instance of Mindoro sentencing appellant Gregorio Ramirez to life imprisonment for the crime of murder, and to pay P6,000 indemnity to the heirs of the deceased.

The facts as established by the prosecution, are as follows: On the evening of April 29, 1955, at about half past eight, a religious organization known as "Iglesia ni Cristo" was having a religious service in the poblacion of San Teodoro, Oriental Mindoro, open to the public. Among the spectators was the deceased Crisanto Manalo who was listening with folded arms to the Minister preaching a sermon on a platform about thirty meters away. Mariano Canovas, who was also at the gathering and was about five meters from Manalo, saw appellant Gregorio Ramirez walk in front of Manalo, then situate himself behind the latter's left side, and, without any ado, suddenly stab Manalo on the back with a double-edged dagger nine inches long (Exhibit B). Manalo staggered on his left and fell. Just before the assault, Jose Evangelista, another spectator, who was about two meters away from Manalo, upon noticing that appellant was about to stab the deceased, exclaimed: "Goring, don't hurt him because he has no fighting chance," but before he could finish uttering these words, appellant had already plunged the dagger on Manalo's back.

The deceased was a short fellow, with short and paralyzed arms (sinkol), short and paralyzed fingers that could not grasp anything as they could not be folded to reach the palms of his hands, with scars around the neck, and with small narrow eyes (sinkit), and this evidently explains why Evangelista said that the deceased had no fighting chance. When Evangelista approached appellant with the intention of separating him from Manalo and prevent further harm, appellant stabbed Evangelista twice on the chest, inflicting two wounds thereby, whereupon Evangelista ran away chased by appellant. For these two stab wounds Evangelista was hospitalized for nine days.

Immediately after the incident and before Manalo was brought to the provincial hospital of Calapan, his statement (Exhibit E) was right away taken down by the chief of police because, Dr. Sulit, one of the witnesses to the affixing of declarant's thumb mark, urged the chief of police to rush it as Manalo might die at any moment, as he in fact died early the following morning at the provincial hospital where he was taken to posthaste. After his death, Dr. Manuel R. Luna of the hospital performed the corresponding autopsy and found that the deceased sustained a profound stab wound 21/2 inches long and 41/2 inches deep, running inward and downward, located at the infra-scapular region, back, a little below the level of the left nipple, perforating and lacerating the left diaphragm, lower left lung, stomach and intestines (Exhibits A and D).

Appellant admits having inflicted the stab wound which caused the death of the deceased, but pleads self-defense. He testified that while the Minister was delivering the sermon, two suffocating smokes were noticed, one from a burning piece of cotton under the platform where the Minister was preaching, which appellant put out, and

another, some fifteen minutes later, in the midst of the assemblage, which caused the people nearby to cough and shy away; that being a member of the Iglesia ni Cristo, he went around to look for the person or persons responsible therefor; that while thus walking around, Jose Evangelista approached and asked him what he was looking for, and without waiting for his answer, Evangelista continued, "So you're looking for the man who caused the smoke; it was I," and at the same time Evangelista grabbed him by the breast and boxed him, the blow landing on his left face; that soon after, another man who from information he later found to be one Manikis, gave him a fist blow on the nape which felled him, face down, and when he intended to get up, Manikis again hit him on the leg, thereupon the deceased grabbed him by the waist; that he stood up facing Evangelista, with the deceased at his back still holding him by the waist, and then Evangelista again tried to grab him by the collar to hit him, hence he drew his dagger and plunged it on Evangelista twice in succession, and then swung said. dagger from right to left, hitting the deceased who was still holding him by the waist from behind, thus disposing of his opponents and freeing himself. Appellant further stated that Evangelista left, the deceased released him from the hold, and Manikis just disappeared. To corroborate him, appellant offered the testimony of Elpidio Matanguihan and Dante Gutierrez, his co-members in the Iglesia ni Cristo.

Although we here have two conflicting versions on how the incident started and developed, they however agree on this point: that the deceased Crisanto Manalo was stabbed by appellant with a dagger, causing his death. Likewise it stands without conflict that on the night in question while the Minister was preaching, two annoying smokes were noticed, which set appellant to walk around, armed with a dagger, to look for the man who caused them.

Upon careful consideration of these undisputed facts as well as of the conflicting versions on the case, we are with the trial judge, who saw and heard the witnesses, in not giving credence to the testimony of appellant and his witnesses. Aside from the incredible nature of appellant's version, his two witnesses, who in turn contradicted each other, contradict him in many respect. While he assures the court that he was knocked down only once, that is to say, upon being hit on the nape by a certain Manikis, his witness Elpidio Matanguihan states that appellant fell twice: first when hit by Evangelista on the face, and then again when hit by Manikis on the nape. Dante Gutierrez's version, on the other hand, is very much different. He said that appellant, after receiving the blow from Evangelista, did not fall but just turned his body, and that at this moment Manikis boxed appellant on the nape which felled the latter, and when appellant stood up and attempted to run, his leg was "balked" or tipped by Manikis, by reason of which appellant, again fell, and when appellant again attempted to stand up, he was embraced on the waist from behind by the deceased. These three different and conflicting versions on a single matter of fact, confusing and contradictory as they are, should be disregarded for their dubious nature.

Again, while appellant said that he delivered thrusts with his dagger twice in succession on Evangelista, Elpidio Matanguihan, contradicting him, stated that appellant just swang the dagger from left to right hitting Evangelista in front, and then from right to left hitting the deceased behind. On the other hand, Dante Gutierrez testifying on this point stated positively that Evangelista parried the blow of appellant, so that the latter had to push the blade on Evangelista and then directed the dagger on the deceased who was behind.

Furthermore, while appellant and Elpidio Matanguihan state that the deceased grabbed appellant's waist from behind, Gutierrez states on the other hand that the deceased embraced appellant on the waist from behind, both facing the same direction, and graphically showing it to the trial court. Either version could not have been possible, as it was conclusively shown that the deceased had short and paralyzed fingers that could not grasp anything, and his arms could not have encircled around appellant's waist as they were short and paralyzed (sinkol). Moreover, it is hard to believe that the deceased, who was physically inferior and defective, would dare enmesh himself in a scuffle and risk his life by embracing an opponent on the waist from behind but whose arms were left

free to retaliate. And it is even more preposterous to suppose that the deceased was behind appellant at the time he was wounded, for it was physically impossible that the dagger could have landed precisely on the back of the deceased, left side, with an inward and downward direction, causing a penetrating wound 4 1/2 inches deep. No matter in what conceivable manner the dagger thrust might have been delivered, the same could not have produced the kind and character of the wound inflicted upon the deceased, and on the precise spot it landed, under the circumstances and relative positions of deceased and appellant as described by the latter and his witnesses.

Appellant in his brief stresses the fact that, by reason of the failure of the prosecution to prove any motive, thus affecting the credibility of its witnesses, he is entitled to an acquittal, considering, besides, that he merely acted in self-defense.

"The question of motive is very important in cases where there is doubt as to whether the defendant is or is not the person who committed the act, but when there is no doubt, as in the case at bar, that the defendant was the one who caused the death of the deceased, it is not so important to know the exact reason for the deed. (U.S. vs. McMann, 4 Phil., 561; People vs. Ragsac, 61 Phil., 146; People vs. Tastatas, 65 Phil., 543; People vs. Tagasa, 68 Phil., 1947)." [1]

There being an admission by appellant himself that he was the one who stabbed the deceased, there was no need for the prosecution to inquire into his motive. On the other hand, while it is true that the prosecution failed to prove any motive, the record reveals that the defense itself has supplied it. It established that there were two suffocating smokes noticed during the progress of the religious service, which made appellant to go around. Certainly, the causing of these smokes, presumably by non-members, which disturbed and interrupted the service, particularly at the time when the Minister was preaching, is enough motive for any member of the sect to be offended thereby, particularly appellant who has shown to be a member of some importance. Armed with a deadly dagger before coming to the meeting as if expecting trouble during the service from antagonistic elements, appellant has imposed upon himself the duty to look for the person or persons responsible for the annoying smokes, and it was not strange for him to pick on the deceased, a non-member, as one of the authors of the nuisance.

In view of the above findings and considerations, we find it hard to believe in the self-defense invoked by appellant. He himself admits that he and Evangelista were friends and never had any misunderstanding of any kind prior to the incident. If this is so, then there was absolutely no reason why Evangelista, a non-member, should provoke and attack appellant in a meeting precisely organized and conducted by the followers of the Iglesia ni Cristo of which appellant is a member in good standing. Unarmed as he was, it would have been fool-hardy for said Evangelista to adopt an aggressive attitude and thus invite the risk of being manhandled by the Iglesia ni Cristo followers. And were it true that appellant was assaulted by Evangelista and Manikis prior to the stabbing of the deceased, his natural and logical reaction would have been to seek redress by filing the corresponding complaint against the two. He admits however that he has not done so, but that instead he was accused by Evangelista of physical injuries. Moreover, Evangelista, in rebuttal, not only denied having a tussle with appellant before the stabbing of the deceased, but positively stated that he was alone in approaching appellant, and that he does not know of any person who responds to the name of Manikis. And lastly, the deceased himself in his statement Exhibit E which may be considered as part of the *res gestae* for it does not meet all the requirements of a dying declaration, asseverates that he was stabbed all of a sudden from behind, without a word being said.

The decision appealed from being in accordance with the facts and the law, the same is hereby affirmed, with costs.

Paras, C. J., Bengzon, Padilla, Montemayor, Bautista Angelo, Labrador, Concepcion, and Reyes, J. B. L., JJ.,

concur.

---

[1] People vs. Filemon Caggawan, et al., 50 Off. Gaz., No. 1, p. 124; 94 Phil., 118.

**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.