

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. RUPERTO SAN GABRIEL “UPENG” OR “JOJO”;
DEFENDANT-APPELLANT.**

G.R. No. 110103. August 04, 1994

Ponente: MELO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-110103/>

MELO, J.:

When Rolando Rodela sipped his coffee at around 6:30 in the evening of July 27, 1989, little did he know that it was his last cup before the next crack of dawn.

He sat on the chair facing the table near the open door savoring the taste of the hot beverage while his mother prepared supper in the kitchen approximately one meter from where her son was when the assailant passed by Rolando's sister at the terrace fronting the house, barged his way in, and repeatedly stabbed Rolando Rodela who sustained three wounds. This mayhem was perpetrated despite the presence of the victim's mother, Maria Areglo Rodela, and Teresita Rodela, the victim's sister, amidst the lighted fluorescent lamp which enabled the terrified witnesses to identify the culprit who thereafter fled from the locus criminis. The neighbors who responded to the calls for help brought the body of the victim to the Valenzuela District Hospital in Bulacan, to no avail.

Rosemarie Rodela, the widow of Rolando Rodela, was at home feeding their child when she was informed by one of her cousins that her husband had been stabbed. She was accompanied by her brother to the hospital where she saw the lifeless body of her husband whose intestines were protruding due to the sharp bladed instrument used by the culprit who also managed to pierce other vital organs. The medico-legal officer attributed the victim's death to massive hemorrhage on account of the severed cartage artery and large intestines.

It turned out that the alleged felon was Ruperto San Gabriel, a close friend of the victim and a first cousin of the victim's wife, who was apprehended by a police officer and the victim's brother while at the Provincial Hospital of Calapan, Mindoro where the suspect was recuperating after having been involved in a hacking incident. From Calapan, Mindoro, they proceeded to the Provincial Jail of Bulacan where the accused was detained for the murder of Rolando Rodela (p. 2, Rollo).

Following arraignment and the reception of the People's inculpatory evidence, accused-appellant persisted in his plea of innocence premised on alibi. He could not have possibly executed the misdeed levelled against him, he claimed, because he had transferred residence from Bulacan to Mindoro in 1971 until his arrest in July of 1989, apart from the fact that he was the overseer of his mother's fishpond in Mindoro and that moreover, during the night in question, he and his brother-in-law were fishing in the pond. This claim of exculpatory circumstances was amplified on the witness stand by accused-appellant's brother-in-law.

These protestations did not find merit the trial court's eyes, and thus verdict against accused-appellant was pronounced on April 12, 1993, in this manner:

WHEREFORE, the Court finds the accused Ruperto San Gabriel guilty beyond reasonable doubt of the crime

of murder and the court hereby sentenced (sic) him to suffer the penalty of Reclusion Perpetua.

To indemnify the heirs of the victim P100,000.00.

To pay the heirs P50,000.00 moral damage and P15,000.00 actual damage. With Costs.

SO ORDERED.

(p. 19, Rollo; p. 157, Record.)

which conclusion was drawn from the following analysis of the trial judge, although expressed a bit ungrammatically:

The evidence on record, shows the accused Ruperto San Gabriel is well known to the wife of the victim Rosemarie Dumalay Rodela because they are first cousins. The accused is also known to the witness Teresita Rodela because they were childhood mates at Liputan, Meycauayan, Bulacan. The accused is also known to Maria Areglo Rodela the mother of the victim, hence no doubt the witnesses Teresita Rodela and Maria Areglo Rodela could not have made a mistake in identifying and pointing to the accused as the assailant of the victim Rolando Rodela on the night of July 27, 1989 inside Maria Rodela's house at Liputan, Meycauayan, Bulacan while the deceased was drinking his coffee.

That on the night of the incident the house of Maria Rodela was bright because their fluorescent light was on that is why she was able to witness the incident from her place at the kitchen which was around four meters away likewise Teresita Rodela was also able to witness the incident from her place at the terrace which is only five meters away from the assailant.

That the attack by the accused upon the victim was so sudden that the latter did not have the opportunity to defend himself resulting to his death. The sudden attack constitutes treachery that qualified the offense to murder.

In the light of the foregoing, the defense of Alibi of the accused cannot prevail over the positive identification made by the witnesses pointing to the accused as the killer of the deceased Rolando Rodela. Besides the accused has not shown any motive for the witnesses to accused him of such serious crime, he even admitted in court that he does not know of any reason why the witnesses accused him of having killed the deceased Rolando Rodela.

(pp. 18-19, Rollo; pp. 155-156, Record.)

In the appeal at bench, accused-appellant sums up his arguments into the major proposition of whether the court a quo properly condemned him for the slaying of Rolando Rodela considering that his and his brother-in-law's exculpatory narration in open court are more credible than the testimonial evidence of the People's witnesses (p. 31, Rollo).

The appeal is bereft of merit.

It is accused-appellant's perception that his defense of alibi had been sufficiently established via his open court declarations, as confirmed by his brother-in-law, that on July 27, 1989 they were both fishing at a 7-hectare fishpond in Naujan, Oriental Mindoro which locality is hundreds of kilometers from Bulacan where the victim was killed on said date. But this question of whether the exculpatory statements uttered by the defense are worthy of belief is premised on the assessment made by the court of origin relative to their propensity to tell the truth or to concoct a tale which evaluation, it cannot be gainsaid, is naturally respected by the reviewing authority inasmuch as the trial judge was in a better position to resolve the query, having heard and observed the demeanor of the witnesses (People vs. Ocampo, 206 SCRA 223 [1992]). Verily, the task of assigning values to declarations at the witness stand is best and most competently performed or carried out by a trial judge who, unlike appellate

magistrates, can weigh such testimony in the light of the defendant's deportment, and the conclusions of trial courts in this respect, command great weight and respect (People vs. Magallanes, et. al., 65 O.G. 10216; 2 Regalado, Remedial Law Compendium, 1989 Sixth Revised ed., p. 554).

At the opposite end of the weighing scale is the positive identification of accused-appellant as the person responsible for the assault as recollected by the victim's mother:

Testimony of Maria Areglo

Q. Will you step by step tell this Court what was that unusual incident?

A. At that particular time and date, the door of our house was opened then and all of a sudden, the accused Ruperto San Gabriel entered our house while my son was seated and drinking coffee.

Q. Thereafter what else happened if there was anything else happened?

A. By the time he entered our house, he was carrying then a deadly weapon and he kept on stabbing and stabbing my son.

Q. Who is your son who was stabbed repeatedly by the accused Ruperto San Gabriel?

A. Rolando Rodela, sir.

Q. The same Rolando Rodela who is the husband of your daughter-in-law Rosemarie Rodela?

A. Yes, sir.

Q. How far were you from the kitchen where you were at that time when accused Ruperto San Gabriel repeatedly stabbed your son?

A. From the witness stand up to that chair. (. . . [B]y agreement of the prosecution and defense is approximately one meter).

Q. Can you tell what was the relative position of your son Rolando Rodela in relation to the accused when he was being repeatedly stabbed by him?

A. He was facing the table seated and drinking coffee.

(pp. 6-7, tsn, December 16, 1992 Underscoring supplied)

(pp. 6-7, tsn, December 16, 1991.)

which categorical declarations were re-inforced by the victim's sister, thusly:

Q. Miss Rodela, do you know the accused in this case Ruperto San Gabriel, alias Jojo and alias Upeng?

A. Yes, sir.

Q. Why do you know him?

A. He is from our place, sir.

Q. Where is your place?

A. Liputan, Meycauayan, Bulacan, sir.

Q. If this Ruperto San Gabriel is now inside the courtroom, would you be able to identify him?

A. Yes, sir.

Q. Will you please point to him?

A. WITNESS POINTING TO A PERSON IN THE COURTROOM WHO STOOD UP AND GAVE HIS NAME AS RUPERTO SAN GABRIEL.

Q. Now, prior to July 27, 1989, for how long have you known the accused Ruperto San Gabriel?

A. For a long time, sir.

Q. For how many years, Madam Witness?

A. He is my childhood mate, sir.

Q. In Liputan, Meycauayan, Bulacan?

A. Yes, sir.

x x x x

Q. Then in the same place you have just mentioned and on that date at about 6:30 p.m. in the evening, do you recall of any unusual incident that took place?

A. When Ruperto San Gabriel arrived and suddenly entered our house, he immediately stabbed my brother, sir.

(pp. 4-6, tsn, November 4, 1991; Underscoring supplied)

The foregoing testimony placing accused-appellant at the scene of the crime brings to mind the oft-repeated legal aphorism that the defense of alibi is subordinate in substance to the positive identification made by the People's witnesses (People vs. Vergara, 221 SCRA 611 [1993]).

Lastly, accused-appellant argues that he had no axe to grind against the victim, a close friend and a cousin-in-law. Again, it must be stressed that ill-motive is never an essential element of a crime and is thus legally inconsequential in the case at bench in view of the affirmative, nay, categorical declarations and assertions made by the People's witnesses towards accused-appellant's accountability for the felony which was accomplished with alevosia (People vs. Tareo, 58 Phil. 255; 1, Reyes, Revised Penal Code, Eleventh ed., 1977, p. 65).

Nonetheless, the indemnity awarded to the heirs of Rolando Rodela to the tune of P100,000.00 should be reduced to P50,000.00 concordant with current jurisprudential doctrine (People vs. Magaluna, 205 SCRA 266 [1992]).

WHEREFORE, the decision appealed from is hereby modified only as to the civil indemnity as indicated above, and affirmed in all other respects.

SO ORDERED.

Feliciano, (Chairman), Bidin, Romero, and Vitug, 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.