

ARISTON A. ABAD, PETITIONER, VS. COURT OF APPEALS AND THE PEOPLE OF THE PHILIPPINES, RESPONDENTS.

G.R. No. 119739. June 18, 1998

Ponente: ROMERO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-119739/>

ROMERO, J.:

Death struck like the proverbial thief in the night, but was the accused-appellant the perpetrator thereof?

In the early morning of October 28, 1986, Ana Paulin was in bed at her house in San Vicente, San Pedro, Laguna, when she was suddenly awakened by the cries of “Inay, inay, inay.” Startled, she bolted up, looked out of the window and saw a man alighting from the jeep parked in front of her house. She yelled at the man who looked up at her then ran away. When she opened the front door downstairs, she found her son, Roberto Pineda, sprawled on the doorstep. He had been repeatedly stabbed in the chest and back.

With the help of neighbors, she rushed Roberto to the Midtown General Hospital in San Pedro but was refused admittance due to the lack of medical facilities therein. Her son expired on the way to another hospital. At about 3:30 a.m., she reported the incident to the San Pedro police. It was only before noon of that same day, however, when she submitted a “Salaysay” identifying accused-appellant Ariston A. Abad as the man she had seen running away from her house moments before she discovered her son’s bloody condition. She further stated that accused-appellant and Roberto had been enemies ever since her daughter-in-law, Susan, left the latter for accused-appellant, who was then married to a certain Evelyn Tagle. On the other hand, at the time of the incident, Roberto was cohabiting with a certain Mary Grace Pineda.

On that very day, accused-appellant was invited by their barangay captain to shed light on the incident and was subsequently detained, as a complaint against him had been filed.

On June 28, 1987, accused-appellant was formally charged in an information, reading as follows:

“That on or about October 28, 1986, in the Municipality of San Pedro, Province of Laguna, Republic of the Philippines and within the jurisdiction of this Honorable Court, the accused ARISTON A. ABAD, with intent to kill, with evident premeditation, abuse of superior strength and treachery, being then conveniently armed with a deadly bladed weapon, did then and there wilfully, unlawfully and feloniously attack, assault and stab therewith one ROBERTO PINEDA Y PAULIN, who as a result thereof, sustained stab wounds on vital parts of his body which directly caused his death, to the damage and prejudice of his surviving heirs.

That the crime was committed with the generic aggravating circumstance of evident premeditation and the qualifying circumstance of abuse of superior strength and treachery.

CONTRARY TO LAW.”[1]

The case was assigned to Branch 22 of the Regional Trial Court of San Pedro, Laguna. Upon his arraignment on September 8, 1987, accused-appellant entered a plea of “not guilty.” At the trial, the prosecution presented three witnesses, namely, Dr. Jose Lopez, Jr., Mary Grace Pineda, and Ana Paulin; the defense presented the

accused-appellant and Evelyn Tagle.

Dr. Jose Lopez, Jr., the medico-legal officer who autopsied the body of the victim, testified that the deceased suffered fifteen stab wounds and seven multiple wounds, consequently dying of shock due to severe intra-thoracic hemorrhage secondary to multiple stab wounds at the chest and back.

Mary Grace Pineda testified that three days before the incident, accused-appellant had an altercation with Roberto over the child of the latter with Susan Paulin. The victim allegedly wanted to recover his child from Susan, which accused-appellant opposed. The two even came to blows over the matter, with mutual threats to kill each other.

On the other hand, accused-appellant denied the truth of Ana Paulin's narrative, saying that on the evening of October 27, 1986, after selling sampaguita flowers at Pasay City, he went home to San Pedro at around 12:00 midnight, and that, he was already sleeping at the time the alleged stabbing incident occurred. His alibi was corroborated by his wife, Evelyn.

In its judgment rendered on November 27, 1991, the San Pedro RTC found accused-appellant guilty of homicide. The dispositive portion of the judgment reads as follows:

“WHEREFORE, the Court finds the accused guilty beyond reasonable doubt of the crime of HOMICIDE as defined and penalized under Article 249 of the Revised Penal Code and taking into consideration the provisions of the Indeterminate Sentence law, there being no aggravating or mitigating circumstance to offset each other, he is hereby sentenced to suffer imprisonment of 8 years 1 day of prision mayor, as minimum, to 14 years 8 months and 1 day of reclusion temporal, as maximum, together with all the accessory penalties provided by law, and to indemnify the heirs of Roberto Pineda in the sum of P50,000.00 as damages. No costs.

SO ORDERED.”[2]

On appeal, the Court of Appeals affirmed the decision of the lower court, hence the present recourse.

Accused-appellant assails his conviction by the lower court, maintaining that he could not be considered guilty beyond reasonable doubt and that the testimonial evidence of the prosecution lacked proof and facts to sustain his conviction.

We find accused-appellant's arguments worthy of merit.

The most glaring feature of the present case is the lack of an eyewitness to the actual killing. No one saw accused-appellant stab the victim, nor was the murder weapon ever found. The only thing that links accused-appellant to the crime is his presence at the scene of the incident, thus, the reliance of the trial court on circumstantial evidence to convict accused-appellant.

For circumstantial evidence to be sufficient to support a conviction, all the circumstances must be consistent with the hypothesis that the accused is guilty and at the same time inconsistent with the hypothesis that he is innocent, and with every other rational hypothesis except that of guilt.[3] Thus, for circumstantial evidence to suffice for conviction, the following requisites must concur: (i) there must be more than one circumstance to convict; (ii) facts on which the inference of guilt is based must be proved; and (iii) the combination of all the circumstances is such as to produce a conviction beyond reasonable doubt. The circumstances established must constitute an unbroken chain leading to one fair and reasonable conclusion pointing to the accused as the guilty person, to the exclusion of all others. In the present case, the Court is of the view that the circumstantial evidence proffered by the prosecution do not show beyond reasonable doubt that the accused perpetrated the crime for which he stands charged.

From a careful perusal of the records, it becomes clear that the court a quo affirmed accused-appellant's

conviction on the basis of the following pieces of circumstantial evidence:

First. Accused-appellant was seen at the scene of the crime from which he later hastily fled.

Second. Accused-appellant had a motive to kill the victim, having had an altercation with the latter three days before.

The above circumstances, in the absence of other corroborative evidence, do not point with moral certainty to the guilt of accused-appellant.

We have consistently held that the mere presence of accused-appellant at the locus criminis cannot be solely interpreted to mean that he committed the killing.[4] The mere presence of accused-appellant at the crime scene, without more, is inadequate to support the conclusion that, indeed, he committed the crime. In fact, the only certain conclusion that can be drawn from the testimony of prosecution witness Ana Paulin is the fact that accused-appellant alighted from a parked jeep in front of her house and not that he killed the victim. This is clear from her testimony:

Q. Now, after you hear the word “Inay” about three times, what did you do next if any?

A. I stood up “bumalikwas,” sir.

Q. Why did you stand up, why did you “bumalikwas”?

A. I was surprised, startled, sir.

Q. After standing up what did you do next?

A. I look(ed) out through the window, sir.

Q. What window is that?

A. The window in front of our house, sir.

Q. Why did you look out through that window in front of your house?

A. Because I heard the shout came from that direction, sir.

xxx xxx xxx

Q. Did you see anything unusual when you look(ed) out the window?

A. Yes, sir.

Q. Will you please tell the Court what is that unusual thing that you saw?

A. I saw a person alighted (sic) from the jeep, sir.

Q. But where is that jeep that you have just mentioned?

A. In front of our window, sir.

Q. And when you said you saw a person came down the jeep, what did you do next?

A. I shouted at him, sir.

Q. What did you shout at him?

A. I said “Hoy” and asked “Ano yan,” sir.

Q. When you said that, what did that man do?

A. He look(ed) at me and run (sic) away, sir.

xxx xxx xxx

Q. Now, you said that after looking up to you and suddenly he run away, what did you do next?

A. I go (sic) downstairs, sir.

Q. Where downstairs did you go, what portion?

A. Outside our door, sir.

Q. After going outside your door, what did you see, if any?

A. I saw my son lying (sic) prostrate outside our door, sir.[5]

On cross-examination, Ana Paulin's testimony reveals:

Q. Mrs. Witness, you did not actually saw (sic) the stabbing?

A. No, sir.[6]

Furthermore, Ana Paulin's testimony fails to state whether the man she saw was carrying a weapon, or whether he was bloodied or not. Indeed, there is an absence of positive proof that accused-appellant assaulted the victim.

Likewise, Dr. Jose Lopez, Jr., the medico-legal officer who performed the autopsy, testified:

Q. Doctor, you said that the wounds found on the body of the victim Roberto Pineda are (sic) cause(d) by a sharp bladed instrument?

A. Yes, sir.

Q. But it is also possible that the wounds could have been caused by more than one sharp bladed instrument?

A. Yes, sir.

Q. So, it is also possible that there were (sic) more than one assailant?

Atty. Paler. Incompetent, your honor.

Court. The doctor said that it could be possible that the wounds could have been also caused by more than one instrument.

Atty. Agosila. Yes, your Honor, and my next question is whether it is also possible that there were (sic) more than one assailant?

Court. Witness may answer.

A. Yes, sir.[7]

This admission raises serious doubts as to the credibility of the prosecution's theory that accused-appellant was the victim's sole assailant.

As to accused-appellant's motive, it is true that the latter did have a motive to kill Roberto Pineda. Yet, in order to support a conviction, motive must be coupled with evidence from which it may be reasonably deduced that the accused-appellant was the malefactor.[8] Given the paucity of evidence in the instant case, to conclude that the killing arose from the previous altercation between accused-appellant and the victim would be more speculative

than factual. The court cannot rely on mere presumptions and conjectures to convict the accused-appellant. While his alibi is rather weak, this is no reason for us to sustain his conviction, as the burden of proof still lies with the prosecution to establish that accused-appellant killed the victim. Thus, this Court, in *Peo. vs. Manansala*[9] held that:

“Trial courts must keep in mind that the prosecution must be able to overcome the constitutional presumption of innocence beyond a reasonable doubt to justify the conviction of the accused. The prosecution must stand or fall on its own evidence; it cannot draw strength from the weakness of the evidence for the defense.”

In the instant case, the totality of evidence adduced by the prosecution cannot be considered as constituting an unbroken chain leading to the fair and reasonable conclusion that accused-appellant is guilty of the crime charged. The circumstances proffered by the prosecution only go so far as to create a suspicion that the accused probably perpetrated the crime charged. But suspicion alone is insufficient, the required quantum of evidence being proof beyond reasonable doubt. We quote, with emphasis, the saying that “The sea of suspicion has no shore, and the court that embarks upon it is without rudder or compass.”[10]

In sum, if a life is taken, justice demands that the wrong be redressed, but this justice that calls for retribution cannot be the same one that would convict accused-appellant at bar whose guilt has not been proven beyond reasonable doubt.[11]

WHEREFORE, the appeal is hereby GRANTED and the decision of the Court of Appeals in CA-G.R. No. 12565 dated March 31, 1995, is REVERSED and SET ASIDE. Accused-appellant Ariston A. Abad is hereby ACQUITTED on ground of reasonable doubt. Accordingly, let the accused be immediately released from his place of confinement unless there is reason to detain him further for any other legal or valid cause. No pronouncement as to costs.

SO ORDERED.

Narvasa, C.J. (Chairman), Kapunan, and Purisima, JJ., concur.

[1] Rollo, p. 27.

[2] C.A. records, p. 39.

[3] *People vs. Casingal*, 243 SCRA 37 [1995] citing *People vs. Jara*, 144 SCRA 517 (1986).

[4] *People vs. Geron*, G.R. No. 113788, October 17, 1997; *People vs. Parel*, 261 SCRA 720 (1996).

[5] TSN, November 14, 1989, pp. 5-9.

[6] TSN, November 14, 1989, p.29.

[7] TSN, September 27, 1989, pp. 10-11.

[8] *People vs. Evangelista*, 256 SCRA 611 (1996).

[9] G.R. No. 110974-81, June 17, 1997.

[10] *People vs. Geron*, *supra*.

[11] *People vs. Eslaban*, 218 SCRA 534 (1993).

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.