

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ALFREDO MANTE, ACCUSED-APPELLANT.

G.R. No. 129694. August 18, 1999

Ponente: VITUG, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-129694/>

VITUG, J.:

Alfredo Mante, herein accused-appellant, was sentenced to die by lethal injection by the Regional Trial Court, Branch 34, of Panabo, Davao, after having been charged with and found guilty of murder. The death penalty having been decreed, the case was elevated to this Court for automatic review in consonance with Republic Act No. 7659.

The information that charged Alfredo Mante for the offense read:

"That on or about November 29, 1994, in the Municipality of Santo Tomas, Province of Davao, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, with treachery and evident premeditation, with intent to kill and armed with a hunting knife, did then and there wilfully, unlawfully and feloniously attack, assault and stab one Evelyn Into, thereby inflicting upon her wounds which caused her death, and further causing actual, moral and compensatory damages to the heirs of the victim.

"CONTRARY TO LAW."[1]

The accused pleaded "not guilty" to the charge when arraigned; forthwith, trial ensued.

The facts according to the prosecution, predicated largely on the testimony of its lone witness, Jerson Into, were narrated in the People's Brief submitted by the Solicitor General.

On 29 November 1994, at around four o'clock in the afternoon, Evelyn Into and her son, Jerson Into, were on their way to Tulalian, their home in barangay Sto. Tomas, Davao, after they had their corn milled in the nearby town of Panabo, Davao. Arriving in Tulalian at around five o'clock in the afternoon, Evelyn and Jerson alighted from the passenger jitney which brought them from Panabo. Jerson saw the accused, sporting a yellow "sando" and "maong" pants, near the store where the jitney had stopped. After unloading the milled corn from the vehicle, Evelyn and Jerson proceeded to walk home towards Purok 6 of Tulalian. Jerson noticed that the accused had left shortly ahead of them. When Evelyn and Jerson were about to reach their house, the accused, whom Jerson had seen trying to hide under a cacao tree moments earlier, suddenly blocked their path and, without uttering any word, struck Evelyn with a hunting knife on her right breast. Evelyn attempted to get away. Just as she had shouted at her son to flee, she was stabbed once again by the accused at her back. She fell, and the accused hastily fled. Jerson rushed back to attend to his mother. Unfortunately, she succumbed in no time to her wounds. Jerson sought the help of Roy Codenes, a neighbor, but the latter hurriedly left evidently because of fear. When "CAFGU" members arrived at the crime scene and asked who had been responsible for the killing, Jerson immediately named the accused, Alfredo Mante, as being the assailant.

The defense interposed denial and alibi.

The accused testified that on 18 November 1996 he went straight home after the day's work. He first fed the pigs in their yard and then prepared the feeds for the following day. He took his supper and was ready to go to bed when he heard someone, whose voice he recognized to be that of a certain "Doc," calling from outside the house. Informed that the commander of the CAGU was interested in seeing him, the accused proceeded to the commander's house. He did not realize why he was being summoned until minutes later when some people passed by in front of the commander's house carrying a dead person. It was only then that he was informed of being the suspected assailant. The accused was brought to the Tibal-og Police Station where he denied the accusation.

After assessing the evidence before it, the Regional Trial Court, Branch 34, of Panabo, Davao, found accused Alfredo Mante guilty beyond reasonable doubt of the crime of murder. The court adjudged:

"WHEREFORE, the Court finding the accused Alfredo Mante guilty, with having committed the crime of Murder, and beyond reasonable doubt, for the killing of Evelyn Into, hereby imposes on said accused the Supreme penalty of death.

"Accused is further directed to pay the offended party of P10,000.00 for expenses for wake; P6,000.00 for embalming and P3,000.00 for the tomb and further the sum of P50,000.00 as moral damages."[2]

The Public Attorney's Office, representing appellant, assails the sufficiency of the evidence to warrant a finding of guilt beyond reasonable doubt. The defense contends that the prosecution has failed to ascertain the identity of the perpetrator of the crime charged.

The Court disagrees; it is convinced that the eyewitness account given by Jerson Into has amply established the case for the prosecution.

Jerson on direct-examination testified:

"Q You mean to say, both of you and your mother walked in going to your home?

"A

Yes, sir.

"Q

Did you reach to your home?

"A No sir.

"Q

Why?

"A Because we were blocked by Alfredo Mante.

"Q In what particular place did the accused block your mother?

"A Near his house.

"Q That was when you were about to pass the trail going to your house?

"A Yes, sir.

"Q That was already 6:00 o'clock in the evening as you said earlier. Now, how were you able to identify that Alfredo Mante is the person who stabbed your mother?

"A

When we reached at Purok 6, we saw him there waiting, and after we unloaded our cargoes from the Cart, he suddenly disappeared.

"Q In other word, before your mother was stabbed by this accused, you had seen him earlier before that time?

"A Yes, sir. He went ahead of us and proceeded to his house and there, he was already waited for us.

"xxx xxx xxx

"Q You earlier pointed the accused, Alfredo Mante as the assailant of your mother, how long have you known him?

"A I knew him for a while.

"Q

How long have you knew him?

"A I knew him long ago because I always visited my grandmother before.

"Q About one year before that incident?

"A About three (3) years.

"Q Is the accused has a family?

"A Yes, sir.

"Q How many children?

"A Only one, sir.

"Q What is the name of his wife?

"ATTY. EVANGELIO:

Objection, Your Honor, not part of the offer.

"PROS. BIJIS:

Only to ascertain, Your Honor, the identity of the family of the accused, Your Honor.

"COURT:

Question is allowed. Proceed.

"COURT INTERPRETER:

(A - Nickname of `Niding.')

"PROS. BIJIS:

What is the occupation of the accused?

"ATTY. EVANGELIO:

Objection.

"COURT INTERPRETER:

(A - Farmer.)

"PROS. BIJIS:

"Q

Does he own a land?

"A

He has no land.

"Q Whose land is this accused cultivated?

"A The land owned by my grandmother.

"COURT:

"Q What is the name of your grandmother?

"A Anita Jimino.

"PROS. BIJIS:

"Q Where is that land located?

"A

At Tulalian, Sto. Tomas, Davao.

"Q Do you know whose land the accused had cultivated?"[3]

On cross-examination, Jerson admitted that the face of the assailant, when the stab thrusts were delivered, was covered with a yellow sando but Jerson was quick to explain thus:

"Q

You said that you saw Alfredo Mante concealing himself under the Cacao Tree, how were you able to identify that it was Alfredo Mante hiding himself under the tree?

"A I was able to know that it was Alfredo Mante because he had jumped from the tree where he was hiding.

"Q There was no house in that place?

"A The houses are faraway.

"Q There was no light also?

"A No light.

"Q You could not merely see the face of the man who stabbed your mother?

"A Yes, Ma'am, because at that time, he was covering his face with a yellow sando.

"Q Kindly demonstrate how the face was covered?

(At this juncture, the witness is demonstrating on how the assailant of his mother covered the face).

"A At that time, he was in long hair, and covered his all face, with the head and only the eyes were shown.

"Q You mean to say that only the eyes were viewed to you?

"A His eyes, hair, clothes and the pants.

"Q

You mean to tell us that aside from the yellow sando, that was covered his face he was also wearing a t-shirt at that time?

"A He was not wearing t-shirt.

"Q Meaning, he was undressed at that time?

"A Yes, Ma'am. His body was undressed.

"xxx xxx xxx

"Q At about 6:00 o'clock of November 29, 1994, there was still a light in that place?

"A It was twilight, sir.

"Q At that time, you could still see the face of the assailant?

"A Yes, sir.

"Q His hair?

"A Yes, sir. I could still see that it was long."[4]

Jerson stated that he saw appellant Mante late that afternoon before the stabbing incident sporting a yellow "sando" and "maong" pants; he declared:

"Q

You suspected Mante as the one who stabbed your mother because you saw him while you were unloading your cargoes from the tricycle?

"A Yes, Ma'am.

"Q And at that time, Mante was wearing a yellow sando?

"A

Yes, Ma'am. He was wearing a yellow sando and Maong pants."[5]

Jerson had known appellant for at least three years prior to the stabbing incident. The Court more than once in the past had ruled that the identification of a person could be established through familiarity with one's physical features.[6] Jerson testified:

"Q You said you know Alfredo Mante, for how long have you known him?

"A About three (3) years.

"Q Why did you know him?

"A Because I frequently visited the house of my grandmother until I graduated Grade VI.

"Q You mean to say that the accused was a member of your grandmother?

"A He was not a member of my grandmother but he was the one who worked in the farm."[7]

There would indeed appear to be no plausible reason, even as it would certainly be unnatural, for Jerson to point at the appellant as being the perpetrator of the crime if it were not true and thereby seek a vindication by accusing anyone else but the real culprit.[8] The victim was his own mother, killed before his very eyes. Jerson was merely twelve years old at the time and only fourteen years old when he testified in court. Looking closely at the circumstances, it would be most difficult to ignore his testimony and discard his credence.[9]

Jerson Into stated both on his affidavit and before the court that the motive behind the killing of his mother by appellant was the chopping of the latter's gabi plants. While it was really his uncle Romeo Jimino who destroyed the Gabi plants, appellant Mante suspected, however, that it was his mother who had been responsible for it.[10] Jerson was corroborated by Democrito Into, husband of the victim and father of Jerson, in his own sworn statement and testimony in open court.[11]

Appellant would advert to the alleged inconsistency in Jerson's testimony, i.e., that, at one point, Jerson said his mother, after receiving the first stab thrust, fell down on the ground while, another time, he declared that his mother still was able to run about twenty meters away.[12] This and other innocuous inconsistencies would not be sufficient to downgrade the testimony that, upon the other hand, should be taken in its entirety and on material points.[13] The testimony of Jerson did not deviate from his categorical statement on how the appellant stabbed his mother to death which jibed with the autopsy examination conducted by Dr. Tenchavez.[14] Moreover, ample margin of inaccuracy should be accorded to a young witness who, much more than adults, would understandably be gripped with tension by the novelty of testifying before a court.[15]

Denial and alibis, unsubstantiated by clear and convincing evidence, are self-serving and hardly deserve greater evidentiary weight than the declaration of witnesses on affirmative matters.[16] For alibi particularly to prosper, the defense must be able to show that the accused could not have been physically present at the situs of the crime, or its immediate vicinity, during the time of its commission.[17] Here, appellant's house, where he claims to have been at the time of the stabbing incident, is only 200 meters away from the scene of the crime.

The trial court was not in error in holding that the killing had been attended by treachery. The unarmed victim was suddenly and without any warning attacked with a knife by appellant. Evelyn Into was totally unaware and completely taken by surprise when appellant, masked to conceal his identity, lunged at her with a hunting knife. Even if the attack were frontal, the deceased had no time to prepare for any kind of defense.[18] The essence of treachery would be a swift and unexpected attack on an unarmed victim without the slightest provocation on the latter's part.[19]

The killing of Evelyn Into, being qualified by treachery,[20] constituted murder defined by Article 248 of the Revised Penal Code and penalized by reclusion perpetua to death. The penalty of reclusion perpetua would be the apt penalty absent any aggravating or mitigating circumstance.

The award of damages made by the trial court has been sufficiently substantiated by the evidence on record; in addition, the amount of P50,000.00 by way of indemnity ex delicto should be ordered to be paid by appellant conformably with prevailing jurisprudence.

WHEREFORE, the appealed decision convicting appellant Alfredo Mante of the crime of murder is AFFIRMED with the MODIFICATION that the death sentence imposed on him by the court a quo is reduced to reclusion perpetua. Appellant is likewise ordered to pay to the heirs of the victim, in addition to the damages awarded by the trial court, the sum of P50,000.00 by way of indemnity ex-delicto. Costs against appellant.

SO ORDERED.

Davide, Jr., C.J., Bellosillo, Melo, Puno, Kapunan, Mendoza, Panganiban, Quisumbing, Purisima, Pardo, Buena, Gonzaga-Reyes, and Ynares-Santiago, JJ., concur.

[1] Records, p. 1.

[2] Rollo, p. 18.

[3] TSN, 25 June 1996, pp. 5-9.

[4] Tsn, 25 June 1996, p. 17.

[5] Tsn, 25 June 1996, p. 18.

[6] People vs. Lagnas, 222 SCRA 745, citing People vs. Reception, 198 SCRA 670.

[7] Tsn, 25 June 1996, p. 14.

[8] People vs. Salvame, 270 SCRA 766.

[9] See Marco vs. CA, 273 SCRA 276.

[10] Affidavit of Jerson Into, Exhibit "A," p. 6, Records..

[11] Affidavit of Democrito Into, Exhibit "D," p. 5, Records.

[12] Appellant's brief, p. 6.

[13] People vs. Zamora, 278 SCRA 60.

[14] See People vs. De Guia, 280 SCRA 141.

[15] People vs. Dela Cruz, 276 SCRA 352.

[16] People vs. Gayon, 269 SCRA 587.

[17] People vs. Tadulan, 271 SCRA 233.

[18] People vs. De Manuel, 263 SCRA 49.

[19] People vs. Vallador, 257 SCRA 515.

[20] People vs. Benitez, 264 SCRA 586.

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.