

THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. ANTONIO FERNANDEZ, DEFENDANT AND APPELLANT.

G.R. No. 1482. February 29, 1904

Ponente: MAPA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-1482/>

MAPA, J.:

The guilt of the defendant of the crime of rape with which he is charged is fully established by the proof. The crime was committed with the aggravating circumstance that the accused availed himself of his position as sergeant of the Constabulary forces to commit the crime, and with the further circumstance of its commission in the dwelling of the complaining witness. Consequently the penalty of seventeen years four months and one day of reclusion temporal imposed on the defendant by the trial judge is in accordance with law and should therefore be affirmed.

The court below also condemned the defendant to the payment of the sum of 500 pesos to the father of the complaining witness. There is no authority of law for this, and consequently the decision can not in this respect be sustained. In lieu thereof the defendant should be obliged to endow the complaining witness, who it appears is unmarried, in the sum of 500 Philippine pesos, and to acknowledge and support the offspring, should there be any, in accordance with the provision of article 449 of the Penal Code.

With this modification we affirm the judgment of the court below, with the costs of this instance against the defendant.

Arellano, C. J., Torres, Cooper, and McDonough, JJ., concur.

Willard and Johnson, JJ., dissent.

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.