

ROMEO SAYOC Y AQUINO AND RICARDO SANTOS Y JACOB, PETITIONERS, VS. PEOPLE OF THE PHILIPPINES, RESPONDENT.

G.R. No. 157723. April 30, 2009

Ponente: TINGA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-157723/>

TINGA, J.:

This petition assails the Decision[1] dated 30 January 2002 of the Court of Appeals which affirmed the Decision[2] dated 25 November 1999 of the Regional Trial Court finding the accused guilty beyond reasonable doubt for violation of Presidential Decree No. 532, otherwise known as the Anti-Highway Robbery Law of 1974, and the Resolution[3] dated 14 October 2002 denying the motion for reconsideration.[4]

The facts, culled from the records, are as follows:

In the afternoon of 4 March 1999, Elmer Jaen (Jaen) was aboard a bus when a fellow passenger announced a hold-up. Three (3) persons then proceeded to divest the passengers of their belongings. Under knife-point, purportedly by a man later identified as Ricardo Santos (Santos), Jaen's necklace was taken by Santos' cohort Teodoro Almadin (Almadin). The third robber, Romeo Sayoc (Sayoc), meanwhile, reportedly threatened to explode the hand grenade he was carrying if anybody would move. After taking Jaen's two gold rings, bracelet and watch, the trio alighted from the bus.

PO2 Remedios Terte (police officer), who was a passenger in the same bus, ran after the accused, upon hearing somebody shouting about a hold-up. Sayoc was found by the police officer hiding in an "owner-type" jeep. The latter instructed Jaen to guard Sayoc while she pursued the two robbers. Sayoc was then brought to the police station.

A few hours later, barangay officials arrived at the police station with Santos and Almadin. They reported that the two accused were found hiding inside the house of one Alfredo Bautista but were prevailed upon to surrender.

The victim's bracelet was recovered from Santos while the two rings were retrieved from Almadin.

On 8 March 1999, an information was filed against the accused in the Regional Trial Court of Quezon City, which reads:

Criminal Case No. Q-99-81757

That on or about the 4[th] day of March 1999 in Quezon City, Philippines, the above-named accused armed with [a] deadly weapon[,] conspiring, confederating with and mutually helping one another with intent to gain and by means of force and intimidation against person [sic] did then and there [willfully], unlawfully and feloniously rob one ELMER JAEN Y MAGPANTAY in the manner as follows: said accused pursuant to their conspiracy boarded a passenger bus and pretended to be passengers thereof and upon reaching EDSA Balintawak[,] a public highway, Brgy. Apolonio Samson, this city,[sic] announce the hold-up and with the use of a knife poked[,] it against herein complainant and took, robbed and carried away the following:

One gold bracelet

P20,000.00

Two gold rings

8,000.00

One Guess watch

4,000.00

Total

P32,000.00

Belonging to Elmer Jaen y Magpantay in the total amount of P32,000.00 Philippine Currency to the damage and prejudice of said offended party in the aforementioned amount of P32,000.00 Philippine Currency.

CONTRARY TO LAW[5]

When arraigned, petitioners pleaded not guilty. After arraignment however, Almadin "jumped bail."

Santos denied knowing his co-accused and his complicity in the hold-up. He declared that he was engaged in a drinking session with his kumpare Alfredo Bautista when he went up to the comfort room to relieve himself. He was suddenly dragged by the barangay officials, who hit him in the head rendering him unconscious. He was later brought to a hospital for treatment.

For his part, Sayoc disclaimed knowing the other accused. He claimed to be a passenger on the said bus when the hold-up was announced. Upon seeing a person holding a gun, he immediately descended from the bus. According to Sayoc, he entered a street where vehicles were passing. As the persons who were running passed by him, he went to the side and stood up behind a wall. Soon thereafter, he was apprehended by a police officer.

On 25 November 1999, the RTC rendered judgment against the petitioners and sentenced them to suffer imprisonment from twelve (12) years and one (1) day of reclusion temporal, as minimum to seventeen (17) years, four (4) months and one (1) day of reclusion temporal, as maximum. They were also ordered to pay jointly and severally the amount of P4,500.00 to the victim.[6]

The trial court gave full credence to the testimonies of the prosecution. It noted that the defenses raised by petitioners, which were not corroborated, cannot prevail over the clear and positive identification made by the complainant. The trial court also pointed out that the prosecution's witnesses "did not have any motive to perjure against the petitioners."

Petitioners appealed to the Court of Appeals, ascribing as errors, the conclusions of the trial court on the following issues, namely: (1) the positive identification of the perpetrators; (2) the accordancy of evidentiary weight to the conflicting testimonies of the victim and the police officer; (3) the disregard of evidence adduced by Sayoc; and (4) the failure to declare as illegal the arrest of Santos.[7]

On 30 January 2002, the Court of Appeals affirmed the trial court's decision. The appellate court viewed the alleged inconsistencies between the testimonies of the victim and the police officer as a minor variation which tends to strengthen the probative value of their testimonies. Anent the issue of illegal arrest, the appellate court concluded from evidence that Almadin and Santos voluntarily surrendered.[8]

In their motion for reconsideration,[9] petitioners reiterated that the inconsistencies in the testimonies of the victim and the police officer refer to substantial matters, as they establish the lack of positive and convincing

identification of the petitioners. On 14 October 2002, the Court of Appeals issued a Resolution denying the motion for reconsideration for lack of merit.

Petitioners filed the instant petition,[10] relying on the same arguments presented before the lower courts. Petitioners again raise as issues the credibility of the prosecution witnesses with respect to the identification of the perpetrators, the legality of their arrest and the failure of the judgment of conviction in stating the legal basis in support thereof.[11]

Settled is the rule that in criminal cases in which the penalty imposed is reclusion temporal or lower, all appeals to this Court may be taken by filing a petition for review on certiorari, raising only questions of law.[12] It is evident from this petition that no question of law is proffered by petitioners. The principal issue involved is the credibility of the prosecution witnesses. It bears stressing that in criminal cases, the assessment of the credibility of witnesses is a domain best left to the trial court judge. And when his findings have been affirmed by the Court of Appeals, these are generally binding and conclusive upon this Court.[13] The rationale of this rule lies on the fact that the matter of assigning values to declarations on the witness stand is best and most commonly performed by the trial judge who is in the best position to assess the credibility of the witnesses who appeared before his sala, as he had personally heard them and observed their deportment and manner of testifying during the trial.[14] The findings of fact made by the trial court were substantially supported by evidence on record. Therefore, we are constrained not to disturb its factual findings.

Petitioners contend that the identification made by the prosecution witnesses is not positive, clear and convincing. They argue that extreme fear, stress and anxiety may have contributed to the hazy recollection of the victim pertaining to the identification of the perpetrators. With respect to the police officer, on the other hand, petitioners insist that the former did not personally see the petitioners actually committing the crime charged.

Petitioners' weak denial, especially when uncorroborated, cannot overcome the positive identification of them by the prosecution witnesses. As between the positive declarations of the prosecution witnesses and the negative statements of the accused, the former deserve more credence and weight.[15] As found by the trial court, Jaen and the police officer were able to identify the petitioners, as among those who staged the robbery inside the bus, thus:

Based on the testimonies of the complainant and PO1 Remedios Terte, the accused were clearly and positively identified as the three men who staged the robbery/ hold-up inside the California bus. It was Ricardo Santos who announced the hold-up after which he pointed a knife at the neck of the complainant while Teodoro Almadin divested him of his jewelry. Romeo Sayoc held everyone at bay by threatening to explode a hand grenade if anyone moved.[16]

Petitioners also anchor their defense on the alleged inconsistencies of the testimonies of the prosecution witnesses, such as:

- During the direct examination, the police officer testified that she was seated on the first row at the driver's side, while on cross-examination, she stated that she was actually seated on the seventh row;[17]
- On direct examination, the police officer testified that when somebody announced the hold-up, the latter was seated on the right side of the bus near her, on cross-examination however, she stated that her back was turned against the person who announced the holdup;[18]
- On cross-examination, the police officer stated that after the holdup, one civilian together with the victim alighted from the bus. However, the victim did not mention any civilian who got off the bus with him;[19]
- The police officer averred that after the holdup, about three (3) persons proceeded towards the direction of Cubao, only to retract her statement later, to the effect that these persons turned left towards a street;[20]

- During the cross-examination, the police officer witnessed a civilian calling 117 while she was running after the perpetrators. This was not mentioned in her direct-examination. Jaen, on the other hand, never mentioned such call.[21]

- The police officer testified during the direct examination that she saw Sayoc "inside" an "owner-type" jeep, only to change it later to "underneath" the vehicle.[22]

- The victim testified that it took the petitioners five to ten minutes to rob him while the police officer stated that it took them about five minutes.[23]

The variance in the testimonies of the prosecution witnesses is too trivial to affect their credibility. This Court maintains that minor inconsistencies in the narration of a witness do not detract from its essential credibility as long as it is on the whole coherent and intrinsically believable. Inaccuracies may in fact suggest that the witness is telling the truth and has not been rehearsed as it is not to be expected that he will be able to remember every single detail of an incident with perfect or total recall. The positive identification of the petitioners as perpetrators made by the victim himself and the police officer cannot be overthrown by the weak denial and alibi of petitioners.

Moreover, there is no shred of evidence to show that the police officer was actuated by improper motives to testify falsely against the petitioners. Her testimony deserves great appreciation in light of the presumption that she is regularly performing her duties.

The contention of Santos that he was illegally arrested and searched deserves scant consideration. As held by the trial court, Santos was not arrested, instead, he voluntarily surrendered to the barangay officials, and no countervailing evidence to dispute this fact appears from the record.

Finally, petitioners argue that the appellate court's decision failed to conform to the standards set forth in Section 14,[24] Art. VIII of the 1987 Constitution and Section 2,[25] Rule 120 of the Rules of Court. We are not convinced.

The appellate court did not merely quote the facts presented by the trial court, it arrived at its own findings. After citing and evaluating the evidence and arguments presented by both parties, the appellate court favored the prosecution. It dealt with the issues submitted by petitioners, albeit in a concise manner. This constitutes sufficient compliance with the constitutional and statutory mandate that a decision must state clearly and distinctly the facts and law on which it is based.

We disagree, however, with the penalty imposed by the lower court. The penalty for simple highway robbery is reclusion temporal in its minimum period. However, consonant with the ruling in the case of *People v. Simon*,[26] since P.D. No. 532 is a special law which

adopted the penalties under the Revised Penal Code in their technical terms, with their technical signification and effects, the indeterminate sentence law is applicable in this case. Accordingly, for the crime of highway robbery, the indeterminate prison term is from seven (7) years and four (4) months of prision mayor, as minimum, to thirteen (13) years, nine (9) months and ten (10) days of reclusion temporal, as maximum.[27]

WHEREFORE, this Court AFFIRMS WITH MODIFICATION the findings of fact and conclusions of law in the Decision dated 30 January 2002 of the Court of Appeals in CA-G.R. CR No. 24140, finding appellants Romeo Sayoc and Ricardo Santos guilty beyond reasonable doubt of simple highway robbery. Appellants are hereby sentenced to the indeterminate penalty of seven (7) years and four (4) months of prision mayor, as minimum, to thirteen (13) years, nine (9) months and ten (10) days of reclusion temporal, as maximum, and to pay jointly and

severally the amount of P4,500.00 to the private complainant, Elmer Jaen as their civil liability, with legal interest from the filing of the Information until fully paid. Since appellants are detention prisoners, they shall be credited with the period of their temporary imprisonment.

SO ORDERED.

Chico-Nazario**, Velasco, Jr., Leonardo-De Castro***, and Brion, JJ., concur.

* Acting Chairperson.

[**] In lieu of inhibition of Justice Conchita Carpio Morales, Justice Minita V. Chico-Nazario is hereby designated as additional member.

[***] Per Special Order No. 619, Justice Teresita J. Leonardo-De Castro is hereby designated as additional member of the Second Division in lieu of Justice Leonardo A. Quisumbing, who is on official leave

[1] Rollo, pp. 66-71.

[2] Id. at 31-33.

[3] Id. at 83.

[4] Id. at 72-78.

[5] Id. at 29.

[6] Id. at 50-62.

[7] Id. at 59.

[8] Supra note 1.

[9] Supra note 4.

[10] Id. at 8-28.

[11] Id. at 13-14.

[12] Rules of Court, Rule 56, Sec. 3 provides:

Mode of Appeal.—An appeal to the Supreme Court may be taken only by a petition for review on certiorari, except in criminal cases where the penalty imposed is death, reclusion perpetua or life imprisonment.

[13] Duran v. Court of Appeals, G.R. Nos. 125256 and 126973, 2 May 2006, 488 SCRA 438, 447, citing Roca v. Court of Appeals, G.R. No. 114917, 29 January 2001, 350 SCRA 414.

[14] Magno v. People, G.R. No. 133896, 27 January 2006, 480 SCRA 276, 286, citing People v. Escote, 431 SCRA 345 (2004).

[15] Ferrer v. People, G.R. No. 143487, 22 February 2006, 483 SCRA 31, 52, citing People v. Macalaba, 443 Phil. 565, 578 (2003) and People v. Matore, 436 Phil. 430 (2002).

[16] Rollo, p. 33.

[17] Id. at 18.

[18] Id.

[19] Id.

[20] Id.

[21] Id. at 20.

[22] Id. at 19.

[23] Id.

[24] No decision shall be rendered by any court without expressing therein clearly and distinctly the facts and the law on which it is based.

[25] If the judgment is of conviction, it shall state: (1) the legal qualification of the offense constituted by the acts committed by the accused and the aggravating or mitigating circumstances which attended its commission; (2) the participation of the accused in the offense, whether as principal, accomplice or accessory after the fact; (3) the penalty imposed upon the accused; and (4) the civil liability or damages caused by his wrongful act or omission to be recovered from the accused by the offended party, if there is any, unless the enforcement of the civil liability by a separate civil action has been reserved or waived.

[26] G.R. No. 93028, 29 July 1994, 234 SCRA 555.

[27] *People v. Cerbito*, 381 Phil. 315, 329 (2000).

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.