PEOPLE OF THE PHILIPPINES, APPELLEE, VS. RENATO ESPAÑOL, APPELLANT.

G.R. No. 175603. February 13, 2009

Ponente: CORONA, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-175603/

CORONA, J.:

This is an appeal of the November 30, 2005 decision[1] and June 29, 2006 resolution[2] of the Court of Appeals (CA) in CA-G.R. CR-H.C. No. 1375 which affirmed the decision of the Regional Trial Court (RTC) of Dagupan City, Branch 42 convicting appellant of the crime of parricide and sentencing him to reclusion perpetua.

Appellant Renato Español was charged with killing his wife, Gloria Pascua Español, in an Information that read:

> That on or about the 2[nd] day of February, 2000, in the City of Dagupan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, RENATO ESPAÑOL @ Atong, being then legally married to one GLORIA ESPAÑOL, with intent to kill the latter, did then and there, [willfully], unlawfully and criminally, attack, assault and use personal violence upon the latter by shooting her, hitting her on vital part of her body, thereby causing her death shortly thereafter due to "Hypovolemic shock, hemorrhage, massive, due to multiple gunshot wound" as per Autopsy Report issued by Dr. Benjamin Marcial Bautista, Rural Health Physician, to the damage and prejudice of the legal heirs of said deceased, GLORIA ESPAÑOL, in the amount of not less than FIFTY THOUSAND PESOS (P50,000.00), Philippine Currency, and other consequential damages.
>
> Contrary to Article 246 of the Revised Penal Code.[3]

When arraigned, appellant pleaded "not guilty" to the charge. During the pre-trial, the prosecution and defense agreed on the following stipulations and admissions:

> - That the appellant under detention and named in the information was the accused who had been arraigned;
>
> - That the victim, Gloria Pascua Español, was the legal wife of appellant;
>
> - That Gloria and appellant were living together as husband and wife prior to February 2, 2000 and that she was shot to death at the early dawn of February 2, 2000 at Pantal, Dagupan City;
>
> - That before the victim was shot, appellant borrowed the tricycle of Federico Ferrer and drove said tricycle with his wife inside the cab thereof from their house towards the house of Felicidad Ferrer, sister of the victim;
>
> - That appellant and the victim lived in their own house with their four children.[4]

Thereafter, trial ensued.

The factual antecedents follow.

At about 2:00 a.m. of February 2, 2000, Domingo Petilla was waiting for his companions at Pantal Road, Dagupan City. They were on their way to Manila. All of a sudden, he heard two successive gunshots. A few

moments later, a yellow tricycle sped past him along Pantal Road headed towards Sitio Guibang, Dagupan City. The tricycle was driven by a man wearing a dark-colored long-sleeved shirt.[5]

Petilla's companions arrived shortly thereafter on board a van. As they started loading their things, they saw, through the lights of their vehicle, a person lying on the pavement along Pantal Road. Upon closer scrutiny, they discovered the lifeless body of Gloria Español. They immediately reported the matter to the police.[6]

The gunshots were also heard by Harold Villanueva,[7] a boatman working at the Pantal River, while he was waiting for passengers at the dock about 100 meters away from the crime scene. The shots were followed by the sound of a motorcycle's revving engine. He then saw a speeding yellow tricycle. The tricycle bore the name "Rina" in front of its cab. Its driver was wearing a dark jacket and blue pants. The boatman was later told by a tricycle driver that there was a dead body nearby. Out of curiosity, he (the boatman) went there and recognized the victim as one of his regular passengers.[8]

Felicidad Pascua Ferrer, sister of the victim, was told by the police and neighbors that her sister was dead. She immediately proceeded to the place. Upon confirming that it was indeed her sister, she asked bystanders to inform appellant about the death of his wife.[9]

A few minutes later, appellant arrived. Even before he saw his dead wife, he shouted "She is my wife, she is my wife. Who killed her? Vulva of your mother! She was held up." Appellant stepped across the body and saluted the police investigator. He told the police that he brought the victim to the place where she was found and that she could have been robbed of the P2,000 he had earlier given her.[10]

Meanwhile, Villanueva noticed that the appellant seemed to be wearing the same clothes as those worn by the driver of the speeding tricycle he saw along Pantal Road right after he heard the gunshots.[11]

At around 3:00 a.m., appellant went to the house of Mateo Pascua, brother of Gloria, to inform him that Gloria was held up and killed. They then proceeded to the scene of the crime using the yellow tricycle of their brother-in-law, Federico Ferrer. The tricycle had the name "Rina" emblazoned in front. On the way, Mateo noticed that the seats and floor of the tricycle were wet. When asked about it, appellant did not answer.[12]

Thereafter, at the morgue, appellant refused to look at the body and preferred to stay outside.[13] The autopsy yielded the following results:

> EXTERNAL FINDINGS
>
> CADAVER WAS IN RIGOR MORTIS AND REGULAR BUILT.
>
> GUNSHOT WOUND, POE, 0.7 CM, MID FRONTAL AREA, LEVEL 5 CM ABOVE THE EYEBROW, COLLAR ABRASION, NO GUNPOWDER BURN, PENETRATING, SKULL FRACTURE, BRAIN TISSUE.
>
> POEx: NONE
>
> GUNSHOT WOUND, POE, 1.5 CM, RIGHT MID AXILLIARY LINE, LEVEL 2 CM BELOW THE RIGHT NIPPLE, LESS DENSE, GUNPOWDER BURN PERIPHERY, COLLAR ABRASION, SKIN ABRASION POSTERIOR, PENETRATING.
>
> POEx: NONE
>
> CONTUSION HEMATOMA AT THE RIGHT EYE AREA.
>
> INTERNAL FINDINGS

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

INTRACRANIAL HEMORRHAGE, MODERATE
PENETRATING PERFORATING BRAIN TISSUE
INTRATHORACIC RIGHT, HEMORRHAGE MASSIVE
PENETRATING AND PERFORATING THRU AND THRU RIGHT [LUNG] AND HEART.
6[TH] [RIB] FRACTURE, 2.5 CM, LEFT MID CLAVICULAR LINE, MEDIAL
SLUG FOUND ABOVE THE 6[TH] [RIB], WITHIN THE MUSCLES, LEFT THORACIC AREA.[14]

Disturbed by appellant's actuations, Felicidad asked the police to interrogate her brother-in-law. At the police station, while appellant was being investigated, he requested Senior Police Officer (SPO)1 Isagani Ico if he could talk privately with Felicidad. During their talk, appellant begged Felicidad's forgiveness and asked that he be spared from imprisonment.[15]

During the victim's wake in their house, appellant hardly looked at his wife's remains. He chose to remain secluded at the second floor. He repeatedly asked for Felicidad's forgiveness during the first night of the wake. At one point, Delfin Hernandez, a nephew of the victim, approached appellant and asked why the latter killed his aunt. Appellant just kept silent.[16]

It was also disclosed by Norma Pascua Hernandez, Gloria's other sister, that Gloria confided to her appellant's illicit relationship with a woman named Eva Seragas. Gloria went to Eva's house and confronted her about the adulterous relationship but appellant came to Eva's defense and forcibly dragged Gloria away. Later, Gloria had another heated argument with Eva. Norma pacified her sister and brought her home.[17]

After the presentation of the prosecution's evidence in-chief, the defense filed a demurrer to evidence. The RTC denied the demurrer in an order dated August 21, 2000.[18]

For his defense, appellant testified that he had been an employee of the Dagupan City Water District since 1990. In the early morning of February 2, 2000, he and his wife were on their way to downtown Dagupan City on board a tricycle driven by him to buy binuburan (fermented cooked rice), a local medication for his ulcer. However, upon reaching Quimosing Alley along Pantal Road, Gloria decided to alight and wake up her sister Felicidad who lived nearby. Gloria and Felicidad were engaged in the trading of fish in Dagupan City.[19]

After saying their goodbyes, appellant proceeded to the city proper alone. He bought binuburan and other ulcer medications and went home. Around 2:30 a.m., a passing tricycle driver informed him that the water engine of the Dagupan Water District was creating too much noise. He decided to verify the information.[20]

On his way there, appellant noticed a commotion along Pantal Road. An unidentified man later told him, "Español, come here. Your wife is dead." He immediately proceeded to the scene of the crime. As he was about to embrace the dead body of his wife, someone tapped him on the shoulder and said "No, don't touch her, she is still to be investigated." At the morgue, he noticed that his wife had a bruise above her right elbow and that her zipper was partially opened. After a few minutes, he asked to be excused for he could not bear the pain and sorrow.[21]

He denied that he asked forgiveness from his sister-in-law Felicidad for killing his wife; that he was barely around during his wife's wake and that he did not respond to his nephew's accusation. He likewise denied having an adulterous relationship with Eva Seragas.[22]

Rachel and Richwell Español, appellant's children, corroborated their father's story and maintained that he was at their house resting at the time of the commission of the crime. They insisted that he was always beside the coffin of their mother during the wake and that he had no other woman. Rachel testified that she and her mother were close. If it were true that her father had illicit relations with another woman, her mother would have confided in her.

On February 19, 2001, the RTC convicted appellant:

> WHEREFORE, premises considered, the accused RENATO ESPAÑOL alias "Atong" is hereby found guilty beyond reasonable doubt of the crime of PARRICIDE as defined by Article 246 of the Revised Penal Code and penalized by R.A. 7659 otherwise known as the Heinous Crime Law. Under the latter law, the offense is punishable by reclusion perpetua to death and there being no aggravating circumstance alleged in the information, accused is hereby sentenced to suffer the lesser penalty of reclusion perpetua. In addition, the death his wife has to be indemnified by him in the amount of P50,000.00 and is further ordered to pay to Felicidad Ferrer the amount of P20,000.00 as actual and compensatory damages. No moral damages is awarded for the reason stated above.
>
> SO ORDERED.

Aggrieved, appellant filed an appeal in this Court which we referred to the CA in accordance with People v. Mateo.[23] The CA affirmed the RTC in a decision promulgated on November 30, 2005. It denied reconsideration in a resolution dated June 29, 2006.

Hence this appeal.

The issue for our resolution is whether appellant is guilty of the crime of parricide.

Under Article 246 of the Revised Penal Code, parricide is the killing of one's legitimate or illegitimate father, mother, child, any ascendant, descendant or spouse and is punishable by the single indivisible penalty of reclusion perpetua to death:

> Article 246. Parricide. - Any person who shall kill his father, mother or child, whether legitimate or illegitimate, or any of his ascendants, or descendants, or his spouse, shall be guilty of parricide and shall be punished by the penalty of reclusion perpetua to death.

In convicting the appellant, the RTC and CA found that the following circumstances proved beyond reasonable doubt that he was guilty of parricide:

> - appellant admitted that he was the one who brought his wife to the scene of the crime minutes before the latter's body was discovered. In other words, appellant was with the victim around the time she was shot and killed.
>
> - the tricycle which he used in transporting his wife was seen by Harold Villanueva and Domingo Petilla traveling at a high speed coming from the direction where the gunshots were heard.
>
> - appellant, immediately after the incident, was wearing the same dark jacket and blue jeans worn by the driver of the speeding tricycle.
>
> - appellant asserted that his wife was robbed, even before the investigation had started. However, the victim's purse and other belongings were all found intact.
>
> - appellant did not respond to his brother-in-law's query as to why the tricycle's sidecar which appellant had used in transporting his wife was wet.
>
> - appellant isolated himself during the nine-day wake of his wife.
>
> - appellant repeatedly asked to be forgiven by Felicidad and spared from imprisonment during the investigation of the case, which was corroborated by SPO1 Ico, and during the first night of the wake.
>
> - appellant had a paramour, a certain Eva Seragas. A month prior to the killing, the victim confided to her sister, Norma Fernandez, that she had a confrontation with her husband's paramour at the latter's home, but

> appellant dragged and pulled her away. A few days after, the two crossed paths again and quarreled.[24]

We agree with the CA.

These circumstances are proven facts. We are convinced that at around 2:00 a.m. of February 2, 2000, appellant shot his wife twice on the head and breast, causing her death. Though there is no direct evidence, we have previously ruled that direct evidence of the actual killing is not indispensable for convicting an accused when circumstantial evidence can adequately establish his or her guilt.[25]

Circumstantial evidence is sufficient for conviction if (a) there is more than one circumstance; (b) the facts from which the inferences are derived have been proven and (c) the combination of all the circumstances is such as to produce a conviction beyond reasonable doubt.[26]

> Circumstantial as it is, conviction based thereon can be upheld, provided the circumstances proven constitute an unbroken chain which leads to one fair and reasonable conclusion that points to accused-appellant, to the exclusion of all others, as the guilty person. Direct evidence of the commission of the crime is not the only matrix from which the trial court may draw its conclusions and findings of guilt. Circumstantial evidence is of a nature identical to direct evidence. It is equally direct evidence of minor facts of such a nature that the mind is led, intuitively or by a conscious process of reasoning, to a conclusion from which some other fact may be inferred. No greater degree of certainty is required when the evidence is circumstantial than when it is direct. In either case, what is required is that there be proof beyond reasonable doubt that a crime was committed and that accused-appellant committed it.[27]

None of the prosecution witnesses saw the actual killing of the victim by appellant. However, their separate and detailed accounts of the surrounding circumstances reveal only one conclusion: that it was appellant who killed his wife.[28]

Appellant argues that the lower courts should not have given weight to the testimonies of the prosecution witnesses because they were incredible and illogical.[29] We disagree.

Well-entrenched is the rule that the trial court's evaluation of the testimonies of witnesses is accorded great respect in the absence of proof that it was arrived at arbitrarily or that the trial court overlooked material facts. The rationale behind this rule is that the credibility of a witness can best be determined by the trial court since it has the direct opportunity to observe the candor and demeanor of the witnesses at the witness stand and detect if they are telling the truth or not.[30] We will not interfere with the trial court's assessment of the credibility of witnesses.

Appellant's bare denial that he did not kill his wife is a negative and self-serving assertion which merits no weight in law and cannot be given greater evidentiary value than the testimony of credible witnesses who testified on affirmative matters.[31] The prosecution witnesses were not shown to have any ill-motive to fabricate the charge of parricide against appellant nor to falsely testify against him.

Appellant's defense of alibi is likewise weak. He alleged that he went home after he went downtown to buy his medications. His children attested that he was with them in their house at the time of the commission of the crime. However,

> [alibi] is easy to fabricate but difficult to prove. xxx We have held that for the defense of alibi to prosper, the requirements of time and place (or distance) must be strictly met. It is not enough to prove that the accused was somewhere else when the crime was committed. He must also demonstrate by clear and convincing evidence that it was physically impossible for him to have been at the scene of the crime during its commission.[32]

Appellant's house was merely minutes away from the place where the crime took place. Assuming that the

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

children actually knew that appellant was home when their mother was killed, this did not prove that he was not guilty. It was easy for him to hurry home right after the crime. In fact, this is a reasonable conclusion from the circumstantial evidence gathered.

Another piece of evidence against appellant was his silence when his wife's nephew asked him why he killed his wife. His silence on this accusation is deemed an admission under Section 32, Rule 130 of the Rules of Court:

> Section 32. Admission by silence. -- An act or declaration made in the presence and within the hearing observation of a party who does or says nothing when the act or declaration is such as naturally to call for action or comment if not true, and when proper and possible for him to do so, may be given in evidence against him.

In addition, appellant's act of pleading for his sister-in-law's forgiveness may be considered as analogous to an attempt to compromise, which in turn can be received as an implied admission of guilt under Section 27, Rule 130:[33]

> Section 27. Offer of compromise not admissible. --
>
> xxx xxx xxx
>
> In criminal cases, except those involving quasi-offenses (criminal negligence) or those allowed by law to be compromised, an offer of compromise by the accused may be received in evidence as an implied admission of guilt.
>
> xxx xxx xxx

In sum, the guilt of appellant was sufficiently established by circumstantial evidence. Reclusion perpetua was correctly imposed considering that there was neither any mitigating nor aggravating circumstance present.[34] The heirs of the victim are entitled to a civil indemnity ex delicto of P50,000, which is mandatory upon proof of the fact of death of the victim and the culpability of the accused for the death.[35]

Likewise, moral damages in the amount of P50,000 should be awarded even in the absence of allegation and proof of the emotional suffering by the victim's heirs. Although appellant's two children sided with him in his defense, this did not negate the fact that the family suffered emotional pain brought about by the death of their mother.[36] We also award them exemplary damages in the sum of P25,000 considering that the qualifying circumstance of relationship is present, this being a case of parricide.[37]

WHEREFORE, the decision and resolution of the Court of Appeals in CA-G.R. CR-H.C. No. 1375 finding the appellant, Renato Español, guilty beyond reasonable doubt of the crime of parricide is hereby AFFIRMED WITH MODIFICATION. Appellant is sentenced to suffer the penalty of reclusion perpetua and to pay the heirs of the victim, Gloria Español, in the amounts of P50,000 as civil indemnity, P20,000 as actual damages, P50,000 as moral damages and P25,000 as exemplary damages.

Costs against appellant.

SO ORDERED.

Puno, C.J., Quisumbing, Ynares-Santiago, Carpio, Austria-Martinez, Carpio Morales, Azcuna, Tinga, Chico-Nazario, Velasco, Jr., Nachura, Leonardo-De Castro, Brion, and Peralta, JJ., concur.

---

[1] Penned by then Court of Appeals Associate Justice Ruben T. Reyes (now retired Supreme Court Associate Justice) and concurred in by Associate Justices Rebecca de Guia-Salvador and Aurora Santiago-Lagman of the

Fourth Division of the Court of Appeals. Rollo, pp. 3-24.

[2] CA rollo, pp. 364-365.

[3] Rollo, p. 5.

[4] Id.

[5] Id., p. 6.

[6] Id.

[7] Also referred to as Ronald Villanueva; CA rollo, p. 45

[8] Rollo, pp. 6-7.

[9] Id., p. 7.

[10] Id., CA rollo, p. 275.

[11] CA rollo, p. 275.

[12] Rollo, p. 9, CA rollo, p. 274.

[13] Id., p. 8.

[14] CA rollo, pp. 45-46.

[15] Rollo, p. 8, CA rollo, p. 276.

[16] Id., pp. 8-9, CA rollo, p. 276.

[17] Id., p. 9, CA rollo, p. 272.

[18] Id., p. 10.

[19] Id.

[20] Id., pp. 10-11.

[21] Id., p. 11.

[22] Id., p. 12.

[23] G.R. Nos. 147678-87, 7 July 2004, 433 SCRA 640.

[24] Rollo, pp. 20-21.

[25] People v. Mactal, 449 Phil. 653, 660 (2003), citing People v. Abella, et al., G.R. No. 127803, 28 August 2000, 339 SCRA 129 and People v. Bago, G.R. No. 122290, 6 April 2000, 330 SCRA 115.

[26] Rules of Court, Rule 133, Section 4.

[27] People v. Bernal, G.R. Nos. 132791 & 140465-66, 2 September 2002, 388 SCRA 211, 218, citing People v. Espina, G.R. No. 123102, 29 February 2000, 326 SCRA 753 and People v. Oliva, et al., G.R. No. 106826, 18 January 2001, 349 SCRA 435.

[28] Id.

[29] Rollo, p. 16.

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

[30] Navarrete v. People, G.R. No. 147913, 31 January 2007, 513 SCRA 509, 523, citing People v. Balgos, 380 Phil. 343, 351 (2000).

[31] People v. Caparas, G.R. No. 134633, 14 April 2004, 427 SCRA 286, 297, citing People v. Serrano, G.R. No. 137480, 28 February 2001, 353 SCRA 161.

[32] People v. de Guzman, G.R. Nos. 135779-81, 21 November 2003, 416 SCRA 341, 352, citing People v. Pareja, G.R. No. 88043, 9 December 1996, 265 SCRA 429 and People v. Pallarco, G.R. No. 119971, 26 March 1998, 288 SCRA 151.

[33] People v. Castillo, G.R. No. 172695, 29 June 2007, 526 SCRA 215, 228, citing People v. Abadies, G.R. Nos. 139346-50, 11 July 2002, 384 SCRA 442, 449.

[34] Revised Penal Code, Article 63 (2).

[35] People v. Baño, G.R. No. 148710, 15 January 2004, 419 SCRA 697, 707.

[36] People v. Panado, G.R. No. 133439, 26 December 2000, 348 SCRA 679, 691.

[37] People v. Ayuman, G.R. No. 133436, 14 April 2004, 427 SCRA 248, 260, citing People v. Arnante, G.R. No. 148724, 15 October 2002, 391 SCRA 155, 161.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.