

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. FERNANDO PINEDA, LEONOR BENEDICTO, AND NICASIO SANTIAGO, DEFENDANTS AND APPELLANTS.

G.R. No. 35753. March 26, 1932

Ponente: OSTRAND, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-35753/>

OSTRAND, J.:

Fernando Pineda, Nicasio Santiago, Nicanor Ayroso, and Leonor Benedicto were accused in the Court of First Instance of Nueva Ecija of abduction with rape, the information reading as follows:

"That on or about the 11th day of February, 1931, in the municipality of Aliaga, Province of Nueva Ecija, Philippine Islands, and within the jurisdiction of this court, the above-named accused, Fernando Pineda, Nicasio Santiago, Nicanor Ayroso, and Leonor Benedicto, conspiring together and mutually aiding one another, and by means of force, violence, and intimidation, did then and there and with lewd designs and lasciviousness, voluntarily, maliciously, illegally, and criminally take Maria Lourdes Dasig against her will from the house of her parents, a virgin over 12 years and under 18, and said accused, once in possession of the mentioned Maria Lourdes Dasig, by means of force, violence, and intimidation did then and there voluntarily, maliciously, illegally, and criminally kiss said Maria Lourdes Dasig, touch her nipples, drag her down, put themselves successively on top of her, lift her skirt, and introduce their sexual organs successively into her genital organ against her will, the mentioned accused having had several sexual intercoursures with said Maria Lourdes Dasig."

Upon motion of the fiscal, the defendant Nicanor Ayroso was excluded from the information so that he might be utilized as state witness and the case with respect to him was dismissed.

Upon arraignment, defendants Fernando Pineda, Nicasio Santiago, and Leonor Benedicto pleaded not guilty.

The evidence adduced at the trial shows that while the offended party, Maria Lourdes Dasig, was urinating on the evening of February 11, 1931, at the rear porch of her father's house, situated in the barrio of Santiago, within the municipality of Aliaga, Nueva Ecija, the accused Fernando Pineda and Leonor Benedicto. went up to the house, grasped her by the arms and brought her down by force. Upon reaching the ground, with the assistance of the accused Nicanor Santiago, Maria was conducted to a place called San Carlos in the same municipality where she was forcibly thrown to the ground by the three accused who successively raped her, despite her resistance. After the commission of the act, Nicasio and Leonor left Fernando, and he took Maria by force and intimidation to the house of Gregorio Paderes in Manaraog, Rizal, Nueva Ecija, where they stayed for fourteen days, during which time Fernando often had carnal knowledge of her through threats of death and against her will.

Fernando admitted having taken Maria from her house but claimed that it was done through her insistent request by reason of the fact that she was on her way to motherhood. The other two accused, Nicasio Santiago and Leonor Benedicto, denied having anything to do with the crime.

Upon trial the court below found the defendants guilty as charged, with the aggravating circumstance of

nocturnity, and sentenced each of them to suffer twenty year's of reclusion temporal, with the accessory penalties provided by law, to indemnify the offended party in the sum of P500, and the said defendants to pay their proportionate parts of the costs. From that judgment the accused appealed.

Under the circumstances of the case, we cannot believe that the offended party would consent to leave her home with a married man of the caliber of Fernando Pineda. With the exception of his clearly false testimony, there is nothing in the record to indicate that the offended party has ever had any inclination to follow any of the defendants.

After the examination of the evidence, there can be no doubt that Nicasio Santiago and Leonor Benedicto together with Fernando Pineda really abducted, and successively raped, Maria Lourdes Dasig by force and intimidation.

The accused are guilty of the complex crime of forcible abduction with rape (article 342 of the Revised Penal Code), and the penalty is reclusion temporal. There being present the aggravating circumstances of nocturnity and superior strength, which although not alleged in the information, may be appreciated (U. S. vs. Campo, 23 Phil., 368), without any mitigating circumstances to offset the effects of such aggravating circumstances, the penalty will be meted out in its maximum degree.

The judgment of the court below is hereby modified to the effect that the appellants shall jointly and severally endow the offended party in the sum of P500. With this modification, the judgment of the court below is affirmed in all other respects. With costs against the appellants jointly and severally. So ordered.

Avanceña, C. J., Johnson, Street, Malcolm, Villamor, Romualdez, Villa-Real, and Imperial, JJ., concur.

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.