

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. GREGORIO AMANTE AND URBANO MINOBRA, DEFENDANTS AND APPELLANTS.

G.R. No. 3675. September 23, 1907

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-3675/>

JOHNSON, J.:

These defendants were charged with the crime of robo en cuadrilla, in the words following:

"That said accused, on or about the 5th day of February, 1906, in the barrjo of San Andres, pueblo of San Pablo, Province of La Laguna, voluntarily, illegally, and criminally appropriated money and various other effects, the property of another, with violence and intimidation of the person and with the circumstance of operating in an uninhabited place; the accused were in company with three or more armed malefactors. All contrary to law."

These defendants were finally arrested and brought before the Court of First Instance of said province, were duly arraigned upon the 9th day of October, 1906, and each pleaded "not guilty" to the crime charged in the complaint.

The case proceeded to trial, and, after hearing the evidence in said cause, the judge found the defendants guilty of the crime charged in the complaint and sentenced each of them to be imprisoned for a period of six years ten months and one day of presidio mayor, with the accessories of the law, and to return to the offended persons the things stolen, and each of them to pay one-half the costs. From this decision the defendants appealed to this court.

The attorney for the defendants in this court makes no specific assignment of error, but argues that the evidence did not show "operation by a band and in an uninhabited place," and also that the proof does not show "that the accused are malefactors, nor does it appear that they were habitually devoted to this kind of acts of highway robbery." An examination of the proof, however, discloses the fact that the band of which the defendants were members was composed of three or more armed persons and that it was in an uninhabited place.

With reference to the contention of the appellants that the evidence did not show that they were bad men and that they had habitually dedicated themselves to bandolerismo, paragraph 5 of article 503 of the Penal Code, in its relation with article 504, contains no provision that before persons can be convicted of the crime of robo en cuadrilla there shall be proof showing that they were habitual criminals.

An examination of the proof shows, beyond peradventure of doubt, that the defendants committed the crime charged in the said complaint and en un sitio despoblado [in an uninhabited place], and that they were members of a band composed of three or more armed persons; considering, therefore, the aggravating circumstances of despoblado y la de cuadrilla (in an uninhabited place and in an armed band), the defendants should be punished in the maximum degree of presidio mayor.

It is the judgment of this court, therefore, that the decision of the lower court be modified and that the defendants be sentenced to be imprisoned for a period of ten years of presidio mayor, with the accessory penalties of the law, to return to the persons offended the property stolen, and each to pay one-half the costs.

No question was raised in the lower court as to the sufficiency of the complaint filed in said cause, and therefore we make no finding upon that question. So ordered.

Arellano, C. J., Torres, Willard, and Tracey, 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.