

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. POTENCIANO Taneo, DEFENDANT AND APPELLANT.

G.R. No. 37673. March 31, 1933

Ponente: AVANCEÑA, C.J.

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AVANCEÑA, C.J.:

Potenciano Taneo lived with his wife in his parent's house in the barrio of Dolores, municipality of Ormoc, Leyte. On January 16, 1932, a fiesta was being celebrated in the said barrio and visitors were entertained in the house. Among them were Fred Tanner and Luis Malinao. Early that afternoon, Potenciano Taneo, went to sleep and while sleeping, he suddenly got up, left the room bolo in hand and, upon meeting his wife who tried to stop him, he wounded her in the abdomen. Potenciano Taneo attacked Fred Tanner and Luis Malinao and tried to attack his father after which he wounded himself. Potenciano's wife who was then seven months pregnant, died five days later as a result of her wound, and also the foetus which was asphyxiated in the mother's womb.

An information for parricide was filed against Potenciano Taneo, and upon conviction he was sentenced by the trial court to reclusion perpetua with the accessory penalties, to indemnify the heirs of the deceased in the sum of P500 and to pay the costs. From this sentence, the defendant appealed.

It appears from the evidence that the day before the commission of the crime the defendant had a quarrel over a glass of "tuba" with Enrique Collantes and Valentin Abadilla, who invited him to come down and fight, and when he was about to go down, he was stopped by his wife and his mother. On the day of the commission of the crime, it was noted that the defendant was sad and weak, and early in the afternoon he had a severe stomachache which made it necessary for him to go to bed. It was then when he fell asleep. The defendant states that when he fell asleep, he dreamed that Collantes was trying to stab him with a bolo while Abadilla held his feet, by reason of which he got up; and as it seemed to him that his enemies were inviting him to come down, he armed himself with a bolo and left the room. At the door, he met his wife who seemed to say to him that she was wounded. Then he fancied seeing his wife really wounded and in desperation wounded himself. As his enemies seemed to multiply around him, he attacked everybody that came his way.

The evidence shows that the defendant not only did not have any trouble with his wife, but that he loved her dearly. Neither did he have any dispute with Tanner and Malinao, or had any motive for assaulting them.

Our conclusion is that the defendant acted while in a dream and his acts, with which he is charged, were not voluntary in the sense of entailing criminal liability.

In arriving at this conclusion, we are taking into consideration the fact that the apparent lack of a motive for committing a criminal act does not necessarily mean that there are none, but that simply they are not known to us, for we cannot probe into the depths of one's conscience where they may be found, hidden away and inaccessible to our observation. We are also conscious of the fact that an extreme moral perversion may lead a man to commit a crime without a real motive but just for the sake of committing it. But under the special circumstances of the case, in which the victim was the defendant's own wife whom he dearly loved, and taking into consideration the

fact that the defendant tried to attack also his father, in whose house and under whose protection he lived, besides attacking Tanner and Malinao, his guests, whom he himself invited as may be inferred from the evidence presented, we find not only a lack of motives for the defendant to voluntarily commit the acts complained of, but also motives for not committing said acts.

Doctor Serafica, an expert witness in this case, is also of the same opinion. The doctor stated that, considering the circumstances of the case, the defendant acted while in a dream, under the influence of an hallucination and not in his right mind.

We have thus far regarded the case upon the supposition that the wound of the deceased was a direct result of the defendant's act performed in order to inflict it. Nevertheless we may say further that the evidence does not clearly show this to have been the case, but that it may have been caused accidentally. Nobody saw how the wound was inflicted. The defendant did not testify that he wounded his wife. He only seemed to have heard her say that she was wounded. What the evidence shows is that the deceased, who was in the sala, intercepted the defendant at the door of the room as he was coming out. The defendant did not dream that he was assaulting his wife but that he was defending himself from his enemies. And so, believing that his wife was really wounded, in desperation, he stabbed himself.

In view of all these considerations, and reversing the judgment appealed from, the court finds that the defendant is not criminally liable for the offense with which he is charged, and it is ordered that he be confined in the Government insane asylum, whence he shall not be released until the director thereof finds that his liberty would no longer constitute a menace, with costs de oficio. So ordered.

Street, Ostrand, Abad Santos, and Butte, JJ., concur.

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