

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. MARCELINO VALENCIA, MELCHOR QUIJANO, AND SOCORRO QUIJANO, DEFENDANTS. MARCELINO VALENCIA AND SOCORRO QUIJANO, A...

G.R. No. 39864. December 08, 1933

Ponente: ABAD SANTOS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-39864/>

ABAD SANTOS, J.:

Appellants Marcelino Valencia and Socorro Quijano, together with Melchor Quijano, were prosecuted in the Court of First Instance of Pampanga under the following information:

"Que en o hacia el dia 21 de marzo de 1933, en el Municipio de Mabalacat, Provincia de Pampanga, Islas Filipinas, los referidos acusados, Marcelino Valencia, Melchor Quijano y Socorro Quijano, confabulandose entre si, de comun acuerdo, ayudandose mutuamente y en connivencia con los fabricantes de billetes de banco falsos, quienes hasta ahora no han sido identificados, voluntaria, ilegal y criminalmente, expendieron e hicieron pasar un billete de banco falsificado a sabiendas de que lo era, en la forma y manera siguiente: se presentaron en la tienda de la Sra. Maria Morales y compraron efectos de su tienda, cuyo valor es de "P0.45 y para pagarlos entregaron un billete de banco falsificado de P10, No. D261487D del Banco de las Islas Filipinas, haciendolo pasar como legitimo y expedido por el Banco de las Islas Filipinas, cuando que a ellos les constaba y les consta positivamente de que era y es falsificado recibiendo de la citada Sra. Maria Morales como cambio la cantidad de P9.55."

Upon arraignment, Marcelino Valencia pleaded guilty, while his two codefendants pleaded not guilty. After due trial, Melchor Quijano was acquitted. Marcelino Valencia was found guilty of a violation of article 166, of the Revised Penal Code, and sentenced to suffer ten years, eight months and one day of prision mayor, with the accessories of the law, to pay a fine of P100, with subsidiary imprisonment in case of insolvency, and to pay one-third of the costs. Socorro Quijano was found guilty of a violation of article 168 of the Revised Penal Code, and sentenced to four years, two months and one day of prision correccional, with the accessories of the law, and to pay one-third of the costs.

The evidence shows that on the morning of March 21, 1933, appellants stopped their car in front of a store belonging to Maria Morales and bought some cigarettes and corn beef, and gave the seller a ten-peso bill. After receiving the change in the sum of P9.55, they hurriedly left the store. This aroused the suspicion of the store owner who, upon examining the bill, found it to be a counterfeit. Whereupon her brother Pedro Morales went in pursuit of appellants. Meanwhile, appellants went to another store belonging to Eustaquia Sunga and bought cigars and some cans of salmon, giving, in payment, another ten-peso counterfeit bill. Upon receiving the change, they again hurriedly departed. They were, however, overtaken by Pedro Morales and, at his instance, were detained by the authorities.

On this appeal, two questions are raised, one relates to the qualification of the crime committed by Marcelino, while the other, to the sufficiency of evidence to sustain the conviction of Socorro.

As to the first question, counsel contends that article 168 of the Revised Penal Code should be applied, instead of article 166, alleging that no evidence was presented that appellant Marcelino was in connivance with the counterfeiters or forgers when he passed the counterfeit bills. This contention is groundless, since, by his plea of guilty, Marcelino admitted all the material allegations of the information, including that of connivance with the authors of the forgery, which characterizes the crime defined by article 166 of the Revised Penal Code. (U. S. vs. Burlado, 42 Phil., 72, 74; U. S. vs. Barba, 29 Phil., 206; U. S. vs. Tamarra, 21 Phil., 143.) His testimony at the trial of, and as witness for, his co-appellant, could not affect the legal consequences of his plea.

As to the second question, counsel contends that Socorro did not know anything about the counterfeit bills, but an examination of the evidence presented in this case convinces us to the contrary, and so we are not disposed to interfere with the finding of the trial court on this point.

The crime committed by Marcelino Valencia falls within the purview of article 166, case 2, of the Revised Penal Code. The penalty prescribed is prision mayor in its maximum degree and a fine not to exceed P5,000. There being present the mitigating circumstance of plea of guilty, without any aggravating circumstance to offset it, the penalty should be imposed in its minimum period. Under the provisions of Act No. 4103 of the Philippine Legislature, otherwise known as the Indeterminate Sentence Law, he should be sentenced to a term of imprisonment the minimum of which shall not be less than the minimum of the penalty next lower in degree to that prescribed by the Revised Penal Code, and the maximum shall be that which may be properly imposed, in view of the attending circumstances. Consequently, the appellant Marcelino Valencia is hereby sentenced to suffer a term of imprisonment of from eight years and one day to ten years and eight months. The fine imposed by the lower court should be without any subsidiary imprisonment pursuant to article 39, rule 3, of the Revised Penal Code.

The crime committed by Socorro Quijano falls under article 168 of the Revised Penal Code, and the penalty prescribed is prision mayor in its medium degree, which should be applied in its medium period, in the absence of any mitigating or aggravating circumstance in the commission of the crime. Pursuant to the provisions of said Act No. 4103, she is hereby sentenced to suffer a term of imprisonment of from six years and one day to nine years and four months. She is also sentenced to pay a fine of P100, without any subsidiary imprisonment. (Article 168, in relation with article 166, case 2, and article 39, rule 3, of the Revised Penal Code.)

Modified as above indicated, the judgment is affirmed with costs against the appellants. So ordered.

Street, Vickers, Butte, and Diaz, 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.