

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. SEBASTIAN SIGAYAN E IMAJAN, DEFENDANT AND APPELLANT.

G. R. No. 40774. April 18, 1934

Ponente: IMPERIAL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-40774/>

IMPERIAL, J.:

Sebastian Sigayan e Imajan was charged with the crime of murder in the Court of First Instance of the City of Manila in an information reading as follows:

"That on or about the 19th day of August, 1933, in the City of Manila, Philippine Islands, the said accused after having been convicted of murder and less serious physical injuries by final judgments and while serving said sentences, with evident premeditation and treachery, did then and there wilfully, unlawfully and feloniously, without any justifiable motive and with the decided purpose to kill one Ussam (Moro) attack, assault and stab the said Ussam (Moro) on the left side of his body with a chisel, thereby inflicting upon him the following physical injuries to wit:

"(1) Wound, stab, penetrating abdomen, left hypochondrium.

"(2) Wound, stab, multiple, perforating small intestines and large intestines at the splenic flexure.

"(3) Wound, stab, thru and thru multiple, mesentery and omentum.

"(4) Extravasation, intestinal contents.

"(5) Hemorrhage, internal. which directly caused the death of the said Ussam (Moro) several hours afterwards.

"That the said accused is a recidivist, he having been previously convicted by final judgments of a competent court of murder and less serious physical injuries."

Upon arraignment, the accused voluntarily pleaded guilty. However, at the fiscal's suggestion, an attorney de oficio was appointed and the court ordered that the aforesaid plea of "guilty" be substituted by that of "not guilty". The prosecution and the defense forthwith presented their respective evidence.

The accused appealed from the judgment finding him guilty of the crime of murder and sentencing him to the death penalty, to be executed in accordance with the provisions of article 81 et seq. of the Revised Penal Code.

To establish the crime, the prosecution presented two eyewitnesses named Ignacio Panlillo and Bernardo Adriano, both Bilibid prisoners. The former testified, in substance, that on the morning of August 19, 1933, while he and the accused were working in department "B" of the carpentry shop within the Bilibid Prisons, Moro Ussam passed by the accused and when he had gone about half a meter, the said accused got up, approached Ussam and dealt him a blow with the chisel which the accused used in making chairs, as a result of which Ussam, seriously wounded, staggered and fell to the floor.

Bernardo Adriano, the other witness, testified that he was working with the accused in the same department and that at about nine thirty o'clock that morning he, without previously having heard any quarrel nor any interchange of words between the accused and Moro Ussam, saw both engaged in a hand to hand fight, the accused armed with a chisel; that Ignacio Panlillo succeeded in wresting the chisel from the accused; that the accused tried to regain possession of it and that he (the witness) grabbed the chisel and threw it away so that the accused would not be able to regain possession thereof; and that Ussam, seriously wounded, fell on the floor.

The accused, testifying in his own behalf, said: that the deceased harbored a grudge against him because the former had suspected him of having committed an indecent act on the former's son named Moro Minga; that when the deceased passed near him on the morning in question the said deceased asked for tobacco to which he answered that he had none, whereupon the deceased grabbed his chisel and attempted to attack and wound him; that fearing that he might be killed, he got up and engaged Ussam in a hand to hand fight; that during the struggle, he succeeded in wresting the chisel from Ussam but that somebody took the chisel from him, and that if he fought in that manner, it was because if he had not so acted, he believed his adversary would have killed him.

On that occasion both the accused and Moro Ussam were prisoners serving final judgments of conviction. Therefore, the provisions of article 160 of the Revised Penal Code, to the effect that the penalty prescribed for the crime committed should be imposed in its maximum period, should be applied in this case. By virtue of said legal provisions and holding that the crime committed is murder because of the qualifying circumstance of treachery, the trial court sentenced the accused to death.

It is an uncontradicted fact that Moro Ussam was wounded in the abdomen and left hypochondrium, had his small and large intestines perforated and suffered from internal hemorrhage. As a result thereof, he died a few hours after he had been wounded by the accused.

The majority of the members of this court are of the opinion that the accused is guilty of the crime of murder on the ground that the qualifying circumstance of treachery was present in the commission thereof. In this respect they find true and convincing Ignacio Panlillo's testimony that the accused attacked and wounded Moro Ussam when the latter was half a meter away from and had his back turned to the former. Consequently, the said v majority voted to affirm the appealed sentence.

Justice Diaz and the undersigned are of the opinion that the crime committed is homicide in view of the fact that the qualifying circumstance of treachery has not been sufficiently established and proved beyond a reasonable doubt. In arriving at this conclusion, they took into consideration the categorical and uncontradicted testimony of the accused to the effect that it was Moro Ussam who grabbed the chisel and tried to attack and wound the accused with it and that they engaged in a hand to hand fight. That testimony of the accused is clearly corroborated by Bernardo Adriano, the other witness for the prosecution. Granting that the testimony of these two witnesses should not merit much credit and weight, it follows that the presence of treachery is not established beyond a reasonable doubt, and for this reason alone the crime committed must be qualified as homicide, not murder. (U. S. vs. Atig, 36 Phil., 303; People vs. Ramiscal, 49 Phil., 103.)

In view of the above stated result and in conformity with the provisions of section 2 of Act No. 4023, the death penalty imposed by the trial court should be reduced to the penalty next lower in degree, which, in this case, is reclusion perpetua.

Wherefore, modifying the sentence appealed from, the accused Sebastian Sigayan e Imajan is hereby sentenced to reclusion perpetua, with the accessory penalties provided for by the law, to indemnify the heirs of the deceased in the sum of one thousand (P1,000) pesos, and to pay the costs of both instances. So ordered.

Malcolm, Villa-Real, Hull, Butte, Goddard, 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.