

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. TIMOTEO RAMPONIT, DEFENDANT AND APPELLANT.

G.R. No. 43280. October 11, 1935

Ponente: ABAD SANTOS, J.

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ABAD SANTOS, J.:

Appellant was charged with the crime of parricide and, after trial, the Court of First Instance of Camarines Sur found him guilty as charged and sentenced him to suffer the penalty of reclusion perpetua, with the accessory penalties provided by law, to indemnify the heirs of the deceased in the amount of P1,000, and to pay the costs.

It is not disputed that the appellant was the author of the death of his wife Fortunata Belleza. The only question raised is whether the killing was done unintentionally, as claimed by the appellant.

The evidence for the prosecution shows that in the afternoon of October 22, 1934, appellant went to the market of Naga, Camarines Sur, where his wife and one Bartolome Domogma were selling meat as partners; that upon seeing his wife appellant seized her by the neck and stabbed her; that after inflicting several wounds on her, he went after Domogma, who ran away until he met a policeman whose timely intervention saved him from attack by the appellant. Fortunata Belleza died from the effects of the wounds inflicted by the appellant.

The defense, on the other hand, tried to prove that when appellant reached the market he saw his wife crying; that upon investigation appellant found that his wife was scolded by Domogma because of her failure to account for a sum of money belonging to the partnership; that when the appellant asked Domogma for an explanation, the latter provoked him, whereupon he got hold of a knife and faced Domogma, who then shouted "hold him, hold him"; that the deceased held the appellant from behind; that, to free himself, appellant swayed his knife backward, without realizing that he was hitting his own wife.

This court has held that where the killing is admitted and self-defense or some justifying circumstance is invoked, the burden is upon the defendant to prove the exculpatory facts. After a careful examination of the evidence in this case, we find no reason for holding that the trial court erred in rejecting the defense interposed by the appellant. It is too fantastic to prevail over the case made up by the prosecution.

It is intimated that the absence of motive for the killing weakens the evidence for the prosecution. On this point, we agree with the Solicitor-General that the motive is important only where a doubt exists as to whether the defendant committed the crime, as where the incriminating evidence is merely circumstantial. But where there is no such doubt, as in the instant case where the defendant admitted the killing, it is not important to know the exact reason for the deed. (U. S. vs. McMann, 4 Phil., 561; Underhill on Criminal Evidence, 3d ed., sec. 503.)

It results that the judgment appealed from must be affirmed, with costs against the appellant. So ordered.

Avanceña, C.J., Hull, Vickers, and Recto, JJ., concur.

Judgment affirmed.

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