

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. MARCELO AGUSTIN, DEFENDANT AND APPELLANT.

G.R. No. 4743. December 21, 1908

Ponente: TORRES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-4743/>

TORRES, J.:

ROBBERY ; AGGRAVATING CIRCUMSTANCES.—From the Court of First Instance of Tarlac. Llorente, J.

The accused admitted to the police that he was one of the band which committed the robbery in question, but stated that lie had been compelled against his will to accompany them. When arraigned in open court he denied his guilt. lie was recognized by one witness as one of those who went into the house, armed, and intimidated the occupants while the crime was committed. Also shown that he assisted in concealing part of the stolen property. He afterwards escaped from jail but was recaptured. Held, That the testimony of one witness with circumstantial evidence is sufficient to sustain the conviction. The number of members of the baud not clearly established, hence the crime should be classified as simple robbery, but the fact that it was committed at night and in the dwelling of the injured parties considered as aggravating circumstances. Judgment modified, penalty increased.

For appellant: Eusebio Orense.

For appellee: Attorney-General Villamor.

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.