

GABINO PERALTA, RECURRENTE, CONTRA SIMEON RAMOS, JUEZ DE PRIMERA INSTANCIA DE ISABELA, Y EL FISCAL PROVINCIAL DE ISABELA, RECURRIDOS.

G. R. No. 48019. February 07, 1941

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-48019/>

HORRILLEN, M.:

Este es un recurso de habeas corpus promovido por Gabino Peralta contra, el Honorable Simeon Ramos, Juez de, Primera Instancia, y el Fiscal de la Provincia de Isabela. Alegase en la solicitud que el promovente se halla detenido en la carcel de dicha provincia en virtud de una querella por el delito de asesinato, presentada por el mencionado fiscal; que el promovente, el 18 de septiembre de 1940, presento una mocion en la que pedia que se le permitiera estar libre bajo fianza durante la pendencia de la causa, alegando (a) que, segun las pruebas de la acusacion hasta entonces presentadas, el delito cometido era el de homicidio y no el de asesinato, y que no existian pruebas claras de que el delito cometido era este ultimo, por lo que pedia que se abriera una investigacion preliminar para determinar si existian o no pruebas claras de que el delito cometido era el de asesinato y no el de simple homicidio. Dicha petition fue denegada por el recurrido Juez, en su auto de fecha 8 de octubre de 1940, que se lee como sigue:

Avanceña, Pres., Imperial, Diaz, Laurel, y Moran, MM., estan conformes.

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.