

EL PUEBLO DE FILIPINAS, QUERELLANTE Y APELADO, CONTRA JUAN CACHERO, ACUSADO Y APELANTE.

G.R. No. 48320. November 18, 1941

Ponente: DIAZ, J.

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DIAZ, J.:

Fue acusado el apelante, en el Juzgado de Primera Instancia de Ilocos Sur, del delito de homicidio frustrado, y llamado a contestar la querella, el día 9 de enero de 1941, "libre y espontaneamente"—en expresion del Juzgado—"dio la contestaci6n de culpable." Acto seguido, fue condenado a sufrir la pena indeterminada de cuatro aaios, dos meses y un dia de prision correccional a seis aaios y un dia de prision mayor. Creyendo poco despues, que no se le habia concedido el derecho de ser enterado de que podia valerse de los servicios de un abogado antes de dar su contestacion, pidio al Juzgado la reconsideration de su sentencia; pero, su petition fue denegada de piano. De ahi que apelara de aquella para ante este Tribunal.

Avancena, Pres., Abad Santos, Moran, y Horrilleno, MM., estan conformes.

Laurel y Ozaeta, MM., no tomaron parte.

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