

EL PUEBLO DE FILIPINAS, QUERELLANTE Y APELADO, CONTRA NGO CHAY (ALIAS GO CHAY), ACUSADO Y APELANTE.

G.R. No. 48456. November 12, 1941

Ponente: DIAZ, J.

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DIAZ, J.:

Acusado, confeso, y convicto despues, de ser un infractor por tercera vez de las disposiciones del articulo 190 del Codigo Penal Revisado, por haber tenido en su poder una pildora de opio de 0.370 gr. de peso, Ngo Chay (alias Go Chay) fue condenado por el Juzgado de Primera Instancia de Manila a sufrir la pena indeterminada de dos meses y un dia de arresto mayor a un ano y ocho meses y veintiun dias de prision correccional, y a pagar, una multa de P1,000, mas las costas del proceso. Apelo de su sentencia no obstante haber admitido su delito, por creer que la pena que le fue impuesta es excesiva, y por creer ademas que, si de todos modos va a ser deportado despues, lo mejor es que se le acorte su pena de prision.

Abad Santos, Moran, Horrilleno, y Ozaeta, MM., estan conformes.

Avancena, Pres., y Laurel, M., no tomaron parte.

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