

EL PUEBLO DE FILIPINAS, QUERELLANTE Y APELADO, CONTRA BILAANS SUNI Y SAMAL, ACUSADOS Y APELANTES.

G.R. No. 48554. November 22, 1941

Ponente: DIAZ, J.

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DIAZ, J.:

Los apelantes que son hermanos de un moro llamado Kilam fueron acusados de asesinato pero declarados culpables de simple homicidio solamente, por el Juzgado de Primera Instancia de Cotabato el cual les condeno a sufrir la pena indeterminada de 10 anos y 1 dia de prision mayor a 17 anos, 4 meses y 1 dia de reclusion temporal y a pagar a los herederos de su victima llamada Janab una indemnizacion de P2,000, ademas de las costas del proceso. Ambos apelaron de su sentencia para ante el Tribunal de Apelacion, y este nos elevo la causa en virtud de las disposiciones del articulo 145-k delCodigo Administrativo, segun quedo enmendado por la Ley No. 3 del Commonwealth, por considerar que la pena que debe imponerse a los apelantes, en el caso de ser hallados culpables del delito que se les imputo, es o la pena de muerte o la de reclusion perpetua.

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

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