

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ARCADIO MANRIQUE, JR. AND JOHN DOE, ACCUSED, ARCADIO MANRIQUE, JR., ACCUSED-APPELLANT.

G.R. No. 83902. June 08, 1993

Ponente: QUIASON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-83902/>

QUIASON, J.:

This is an appeal from the decision of the Regional Trial Court, Branch 30, San Pablo City in Criminal Case No. 4373-SP, finding Arcadio Manrique, Jr. guilty beyond reasonable doubt of Murder and sentencing him to suffer "the supreme penalty of death. However, with the abolition of the death penalty, the penalty has to be reduced to reclusion perpetua in accordance with Article III, Section 19(1) of the 1987 Constitution." (Judgment, p. 14; Rollo, p. 51)

In said criminal case, Arcadio Manrique, Jr. and John Doe, were charged with Murder, committed as follows:

"That on or about May 21, 1985 in the City of San Pablo, Republic of the Philippines and within the jurisdiction of this Honorable Court, the accused above-named, with intent to kill, with treachery and with insult or in disregard of the respect due the victim as Station Commander of the PC-INP of San Pablo City, conspiring, confederating and mutually helping one another, did then and there wilfully, unlawfully and feloniously attack, assault and shot one P/Lt. COL. RODELO DIONGLAY with unlicensed firearms, with which the accused were then conveniently provided, thereby inflicting gunshot wounds upon the person of said P/Lt. Co. Rodelo Dionglay which caused his immediate death. (Decision, p. 1; Rollo, p. 38)

The accused John Doe remains unidentified and at large. Arcadio Manrique, Jr. entered a plea of "not guilty" and after trial, was sentenced accordingly.

On the basis of the evidence adduced at the trial, the court a quo found that at 6:00 p.m. of May 21, 1985 in Barangay Bagong Pook, San Pablo City, appellant shot and killed Lt. Col. Rodelo Dionglay, the commander of the San Pablo, Laguna PNP Station. The victim was at that time seated on a bench in front of his house, playing dama with Ricardo Dinglasan in the presence of about six other persons. Appellant, with the accused John Doe, sneaked from behind the victim. Appellant was armed with a .38 caliber revolver while John Doe had a .45 caliber pistol. Appellant fired the first shot, hitting Lt. Col. Dionglay at the back. When the latter stood up and ran to escape from his assailants, John Doe fired successive shots at him. Appellant and his companion retreated back to back from the crime scene with their firearms raised in readiness. The wounded victim sought refuge in the house of Pablo Recaña, where he collapsed near the comfort room.

Immediately after the incident, Ricardo Dinglasan and Pablo Recaña were summoned to the police headquarters, where they gave the descriptions of the assailants.

On May 22, 1985, the two eye-witnesses went to the National Bureau of Investigation office in San Pablo City. An NBI artist made a sketch of the assailants based on the description given by them.

On June 5, 1985, Recaña and Dinglasan were again summoned to the police headquarters. Shown a police album, they pointed to a picture of appellant as one of the assailants of Lt. Col. Dionglay.

On June 25, 1985, Pablo Recaña and Marlene D. de Mesa, daughter of the slain police official, personally identified appellant in a police line-up at Camp Nakar, Lucena City, as one of the assailants.

Before this Court, appellant claims that the procedure for his identification by the prosecution's witnesses was conducted irregularly, to wit:

- (1) that there was no police line-up as alleged by the prosecution;
- (2) that Pablo Recaña and Marlene D. de Mesa contradicted each other on the number of persons present in the room where the confrontation was made; and,
- (3) that while the police investigators fetched several witnesses from San Pablo City for the identification of the assailant, only one was able to point to him. (Appellant's Brief, pp. 7-8)

Furthermore, appellant argues that the police investigators failed to pursue the theory that the killing of Lt. Col. Dionglay was the handiwork of subversive elements as reported in the issue of the Peoples Journal of May 22, 1985. (Appellant's Brief, pp. 8-9)

As correctly pointed out by the Solicitor General, there is no rule or set procedure which requires that for anyone to be identified and named as a suspect in a crime, he had to stand among other people to be ceremoniously picked-out (Appellee's Brief, pp. 13-14) like what is done in the movies.

The other contentions of appellant are likewise unmeritorious. Whether there were inconsistencies on the number of persons in the office of Major Bautista, as testified to by the witnesses, the same relate to minor details, which do not destroy the credibility of their testimonies (*People v. Doctolero*, 193 SCRA 632 [1991]). Testimonial inconsistencies to merit due consideration by the courts, must relate to material matters. The defense has not shown the significance or the materiality of the correct counting of the number of persons present during the confrontation.

With regard to the fetching of additional witnesses from San Pablo City, the fact that only one of them was able to identify the appellant bolsters the veracity of the identification. If the bringing of the additional witnesses was stage-managed, all the "rehearsed" witnesses should have pointed their fingers at the appellant.

Appellant anchors his defense of alibi on the testimony of Artemio Cosico, the owner of the construction project where he worked. Cosico testified that at the time of the commission of the crime, appellant was at his work place, partaking drinks with his foreman. The trial court was in wonder why the foreman was not presented as a witness to corroborate appellant's alibi.

Cosico made a poor impression as a witness on the trial court, which observed: "x x x This witness is unreliable as he has shown his propensity for evasiveness and unresponsive answers." (Judgment, p. 7; Rollo, p. 44)

As appellant himself admitted, he left his house at 6:00 p.m. of May 21, 1985 and returned an hour later. Furthermore, he admitted that the travelling time needed to negotiate ADB Subdivision, where appellant lived, to Bagong Pook, where the crime was committed, did not exceed 15 minutes.

The defense of alibi cannot be given any weight in the absence of a convincing proof that it was physically impossible for the accused to have been at the place of the commission of the crime (*People v. Vasquez*, 196 SCRA 564 [1991]).

There was no arbitrariness in the discarding by the police of the theory that the subversives were behind the

killing. After the identification of appellant, it was useless for the police to pursue any other theory of the case.

The inquiry by the police into the motive of appellant, while not necessary, helped explain why Lt. Col. Dionglay was liquidated. The inquiry showed that a policeman under Lt. Col. Dionglay's command, was a suspect in the killing of a brother of appellant and that Lt. Col. Dionglay had a heated altercation with another brother of appellant regarding the custody of said policeman.

The trial court correctly qualified the killing to murder as it was committed with treachery. The shooting was sudden, unexpected and done at close-range when the victim had no expectation whatsoever that he would be attacked (*People v. Serenio*, 179 SCRA 379 [1989]). Likewise, the trial court correctly appreciated the presence of the aggravating circumstance of insult or disregard of the respect due the victim on account of his rank. Appellant admitted that he knew that the victim was the Chief of Police and the one in charge of the maintenance of peace and order in San Pablo City.

The indemnity of P30,000.00 as civil liability of the accused to the heirs of the deceased in murder cases has been increased to P50,000.00 (*People v. Yeban*, 190 SCRA 409 [1990]).

WHEREFORE, the judgment appealed from is AFFIRMED with the MODIFICATION that the indemnity to be paid by appellant to the heirs of the victim is increased to P50,000.00.

SO ORDERED.

Cruz, (Chairman), Griño-Aquino, and Bellosillo, JJ., concur.

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.