

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. EDDIE INOCENCIO Y ROZAGA, ACCUSED-APPELLANT.*G.R. No. 98401. January 27, 1994*

Ponente: PUNO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-98401/>**PUNO, J.:**

Christmas eve of 1989 was marred by a tragedy for the family of Abelardo Cariaga. Between eleven (11:00) o'clock in the evening and twelve (12:00) o'clock midnight of said day, Lolita Cariaga was sweeping in front of her store.[1] Noticing that the broom she was using was already worn-out, Lolita asked her son, Eduardo, to buy a new one at the store of a certain Aling Maya which was just about ten (10) meters away.[2]

On his way to the store, Eduardo saw his brother, Abelardo, waiting for the arrival of his wife who was then inside the nearby Myer's Building. Upon seeing his brother, Eduardo casually inquired: "'tol, wala pa ba?" He then proceeded to Aling Maya's store.

At the outset, Eduardo noticed the group of Eddie Inocencio, Jojo dela Cruz, Jose dela Cruz, Pepito dela Cruz and a cousin of Pepito having a drinking spree at a nearby store. Eduardo was barely 2 1/2 meters away from his brother when he saw Jojo hit Abelardo's head with a bottle. He ran to the succor of his brother and a brief fistfight ensued.[3] Jojo then fled and entered the Myer's Building.

Seeing the rift, Lolita approached her two (2) sons and asked them what happened. Abelardo replied that for no apparent reason, Jojo suddenly hit him on the head.[4] While they were thus conversing, they saw Jojo, Eddie, Pepito, Jose and a cousin of Pepito emerge from the Myer's Building and were headed towards them. Four were armed with bladed weapons, while one was holding a lead pipe. The group ran past Lora Cariaga, Abelardo's wife, who was then inside the Myer's Building.[5] Outnumbered and unarmed, Eduardo and Abelardo scampered away.[6] Lolita and Lora followed suit. Eduardo was able to hide inside her mother's store. Unfortunately, the group caught up with Abelardo at the corner of 13th and Chicago Streets.[7] They ganged up on Abelardo and repeatedly stabbed him.[8] Eduardo was hit at the back by a lead pipe when he tried to help his brother. Hurt, he disassociated himself from the affray and stood by the street.[9] Lora, on the other hand, trying to mediate, shouted: "Tama na" but was slapped by Eddie Inocencio.[10] Upon the other hand, Lolita, her maternal instinct having been roused, stood between Abelardo and his assailants trying to pacify the latter but to no avail.[11] Lolita and Eduardo then saw Eddie deliver a stabbing blow on the left side of Abelardo's chest.[12] Shocked by what she witnessed, Lolita fainted. When she regained consciousness, she saw Lora embracing the body of her bloodied and lifeless son, Abelardo. The latter was brought to the Philippine General Hospital where he was declared dead on arrival.[13] The autopsy revealed that Abelardo sustained three (3) penetrating stab wounds, one of which lacerated his heart and caused his death.[14]

On December 25, 1990, at around 12:55 in the morning, Patrolman Nelson Sarsonas received a report about the stabbing incident. He proceeded to the hospital where he met Lolita who later accompanied him to the scene of the crime. He conducted an investigation therein and was informed that one of the suspects was at the Ospital ng

Maynila. He, together with Lolita and Eduardo, proceeded to said hospital where they saw Eddie Inocencio being treated for a stab wound. At the hospital, Lolita and Eduardo positively identified him as one of the assailants. Eddie was thus arrested and brought to the Homicide Section of the Western Police District.[15]

Consequently, an Information for Murder, dated December 27, 1989, was filed before the Regional Trial Court, Branch XLIX, Manila, against Eddie Inocencio.[16] It reads:

"That on or about December 25, 1989, in the City of Manila, Philippines, the said accused conspiring and confederating together with several others whose true names, real identities and present whereabouts are still unknown and helping one another, with treachery and evident premeditation, did then and there wilfully, unlawfully and feloniously, with intent to kill, attack, assault and use personal violence upon the person of one Abelardo Cariaga y Adarbe, by then and there stabbing the latter several times with a bladed weapon on the left side of his body and left arm, thereby inflicting upon said Abelardo Cariaga y Adarbe fatal and mortal stab wounds which were the direct and immediate cause of his death thereafter.

"Contrary to law." (Rollo, p. 4)

Only Inocencio was apprehended. The others remained at large.

Upon arraignment, Inocencio pleaded not guilty. After trial, the court a quo rendered a decision, dated July 20, 1990,[17] finding him guilty as charged, the dispositive portion of which reads:

"WHEREFORE, judgment is hereby rendered, finding the accused, guilty beyond reasonable doubt, as principal, for the crime of "Murder" defined in and penalized by Article 248 of the Revised Penal Code, and, there being no other modifying circumstances present, hereby sentences the Accused to the penalty of RECLUSION PERPETUA and hereby condemns him to pay to the heirs of Abelardo Cariaga, the amount of P30,000.00 as moral damages.

"The period during which the accused was detained during the pendency of this case shall be credited to him in full provided that he agreed in writing to abide by and comply strictly with the rules and regulations of the City Jail of Manila. With costs against the Accused."[18]

After the prosecution adduced evidence proving the aforecited facts, the defense presented its own version of the incident.

Inocencio testified that on said date and time, he was buying a cigarette outside the Myer's Building. About five (5) meters away, he saw his friends Jojo and Pepito talking to Eduardo Cariaga. Eduardo was then accompanied by his brother, Abelardo. Suddenly, the conversation resulted in a melee. Eduardo and Abelardo then chased Jojo. He and Pepito ran after the three. When they all reached the corner of 13th and Chicago Streets, Abelardo and Jojo started stabbing each other. During the affray, Pepito was able to inflict a stab wound on Abelardo. For his part, Inocencio allegedly tried to pacify Jojo but to no avail. On the mistaken belief that he was going to join the scrimmage, Eduardo stabbed him on the nape. He felt dizzy so he disassociated himself from the brawl. He then saw Abelardo fell on the ground after sustaining a stab wound. It was then that Lolita and Lora arrived, by which time, Pepito and Jojo have scampered away.[19]

However, a few minutes later, Jojo and Pepito came back. Wounded, he asked Pepito and Jojo to bring him to the hospital where he was actually treated and, eventually, apprehended by the police authorities. Pepito and Jojo left the hospital before they can be arrested.[20]

During the investigation at the police station, Eddie allegedly denied complicity in the stabbing incident. He however did not inform the police authorities of the identity of the victim's assailants for, at that time, he allegedly feared retaliation from the real culprits who have since remained at large.[21]

Inocencio further claimed that Lolita Cariaga pointed to him as one of the assailants for he was the only one left at the scene of the crime. Pepito and Jojo have since gone into hiding.

On the basis of the evidence presented, the trial court convicted the accused. The accused, thus, interposed the present appeal alleging that the trial court erred in finding him guilty beyond reasonable doubt of the crime charged.

Accused-appellant attacks the credibility of the prosecution witnesses. Accused-appellant points to the fact that as per the testimony of Lolita, before the whole affray begun, she declared that she saw Abelardo standing in front of Myer's Building conversing with four (4) companions. Thereafter, she allegedly saw Pepito engage Abelardo in a fistfight. On the other hand, accused-appellant asserts that Eduardo never mentioned this aspect in his testimony. Eduardo instead testified that the brawl started when Jojo hit his brother with a bottle.

The records will bear that the trial court noticed such inconsistency. However, we sustain the trial court's finding that the aforecited inconsistency is too minor to be considered relevant in weighing the prosecution/evidence. Time and again, this Court has ruled that testimonies of witnesses need only corroborate each other in important and relevant details concerning the principal occurrence. Inconsequential and minor inconsistencies would not destroy their credibility. On the contrary, they even serve as badges of truth for, indeed, it is quite unnatural for two (2) persons to recall and relate a particular occurrence in exactly the same way and in every minute detail. What is essential is that, in the case at bar, the prosecution witnesses were one in declaring that they saw the accused-appellant deliver that fatal stabbing blow on Abelardo Cariaga. An evaluation of their testimonies unquestionably proved this fact.

Insofar as the stab wound sustained by accused-appellant is concerned, we affirm the trial court's observation that it could have very well been accidentally inflicted on him by either Pepito or Jojo dela Cruz. Indeed, this is not far-fetched to imagine considering the frenzied and tumultuous fashion in which they mobbed and attacked their victim.

Accused-appellant maintains that he did not inform the police of the identity of Abelardo's assailants for he feared for his life since the latter are still at large and have yet to be apprehended by the police authorities. He was allegedly waiting for their arrest and the eventual filing of the corresponding information against them.

Accused-appellant's contention deserves scant consideration. Faced with a direct accusation, accused-appellant remained silent as to the identity of the victim's assailants. It is simply contrary to human experience that an innocent person would rather suffer indefinite incarceration and face possible conviction for a crime he did not commit rather than divulge the identity of the real perpetrators of the crime. Moreover, if fear of reprisal indeed motivated the accused-appellant in maintaining his silence, there was still no reason for him to speak at the trial for the records do not show that, at the time of his testimony, the alleged culprits have been arrested.

Finally, accused-appellant anchors his claim of innocence on the fact that, unlike Pepito and Jojo, he never went into hiding. The records, however, show that accused-appellant's non-flight was far from voluntary. After sustaining a stab wound on the nape, accused-appellant felt dizzy. His wound in fact necessitated his treatment at the hospital where he was subsequently apprehended.^[22] Moreover, the mere fact that he did not flee from the scene of the crime may not be considered as an indication of innocence for, it will be noted that Jojo and Pepito, the assailants pinpointed by the accused-appellant to be actually responsible for the death of Abelardo, returned to the crime scene. They were in fact the ones who brought the accused-appellant to the hospital. Verily, there is no established doctrine to the effect that, in every instance, non-flight is an indication of innocence. In the case at bar, the prosecution evidence proved beyond a shadow of a doubt that the accused-appellant is guilty of the crime charged.

WHEREFORE, premises considered, the appealed decision is hereby **AFFIRMED** except that, pursuant to the current policy of this Court, the indemnity awarded to the heirs of Eduardo Cariaga is hereby increased to fifty thousand pesos (P50,000.00).

SO ORDERED.

Narvasa, C.J., (Chairman), Padilla, and Regalado, JJ., concur.
Nocon, J., on leave.

[1] Adjacent to and at the back of her store is her house, located at 13th Street, Port Area, Tondo, Manila. Beside her house is the Myer's building occupied by several squatters. Next to the Myer's building is a "sari-sari" store owned by a certain Aling Maya.

[2] TSN, March 12, 1990, p. 12; TSN, April 2, 1990, pp. 4-5; May 21, 1990, p. 18.

[3] TSN, March 12, 1990, pp. 15-16; 19.

[4] TSN, May 21, 1990, pp. 8-9.

[5] *id.*, p. 23; TSN, May, 30, 1990, pp. 5-6.

[6] TSN, April 2, 1990, p. 9.

[7] TSN, March 12, 1990, pp. 20-21; TSN, May 21, 1990, p. 12.

[8] *id.*, pp. 5 and 9; TSN, May 21, 1990, p. 24.

[9] TSN, May 21, 1990, p. 16; TSN, March 12, 1990, pp. 6 and 24.

[10] TSN, May 30, 1990, p. 14.

[11] TSN, April 2, 1990, p. 10; TSN, May 21, 1990, pp. 10 and 14.

[12] TSN, March 12, 1990, p. 8; TSN, May 21, 1990, p. 12.

[13] TSN, May 21, 1990, p. 15; TSN, April 2, 1990, p. 19.

[14] TSN, May 2, 1990, pp. 6-12.

[15] TSN, April 2, 1990, pp. 18-31.

[16] Docketed as Criminal Case No. 89-80202-SCC.

[17] Original Records, pp. 45-66.

[18] Penned by Judge Romeo J. Callejo; Original Records, p. 66.

[19] TSN, June 25, 1990, pp. 7-15, 30-32.

[20] *id.*, pp. 16-19, 34-35.

[21] *id.*, pp. 20-21, 27-29.

[22] TSN, June 25, 1990, p. 36.

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.