

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ROLANDO MARANION Y HASAN, ARSENIO RAGUDO Y SUYAT AND PAT. ANTONIO BENITO, ACCUSED. ROLANDO MARANION Y HASAN, ACCUSED-APPELLANT.

G.R. Nos. 90672-73. July 18, 1991

Ponente: PARAS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-nos-90672-73/>

PARAS, J.:

This is an appeal interposed by the accused Rolando Maranion y Hasan from the decision* of the Regional Trial Court, National Capital Region, Pasig, Metro Manila, Branch 167, in Criminal Case No. 42567, finding him and his co-accused, Arsenio Ragudo, guilty beyond reasonable doubt, as principal and accomplice, respectively, of the crime of Robbery with Double Homicide, sentencing herein accused-appellant to suffer the penalty of reclusion perpetua.

Two (2) separate informations, both dated August 13, 1981, were filed by Assistant Fiscal Alberto S. Lim, Jr. against accused Rolando Maranion, Arsenio Ragudo and Patrolman Antonio Benito, one for Robbery by a Band with Double Homicide (Criminal Case No. 42567) and another for Illegal Possession of firearms (Criminal Case No. 42568), quoted hereunder as follows:

"CRIMINAL CASE NO. 42567"

"That on or about the 27th day of July, 1980, in the Municipality of Pasig, Metro Manila, within the jurisdiction of this Honorable Court, the above-named accused, being then armed with hand-guns and deadly weapons, conspiring, confederating together and mutually helping and aiding one another, with intent to gain, did then and there willfully, unlawfully and feloniously, enter the store of one William See Chi, and once inside, held-up the owner thereof, Margarita See Chi and her two maids, Criselda Oca and Susana Tonido, who were forced to go inside a room and ordered there to lie down while the robbers took the cash money in the amount of P6,200.00, Philippine Currency, from the cash register; a late customer Sotero de la Cruz, who had entered the store while the robbery was in progress and the store owner, William See Chi, were both shot and killed during and on the occasion of the robbery." (Rollo, pp. 4-5)

CRIMINAL CASE NO. 42568

"That on or about the 27th day of July, 1980, in the Municipality of Pasig, Metro Manila, Philippines, within the jurisdiction of this Honorable Court, the above-named accused, conspiring, confederating together and mutually helping one another, did, then and there have in their possession, custody and direct control, .38 and .45 firearms, without having first secured the necessary licenses and permits therefore to possess the said firearms." (Rollo, p. 6)

Upon arraignment, accused Rolando Maranion and Arsenio Ragudo, assisted by their counsel, pleaded not guilty to both informations (Records, p. 4 and p. 13). Patrolman Antonio Benito has remained at large since the filing of

the informations (Rollo, p. 22). Defense counsel moved for a joint hearing of the two (2) aforesaid criminal cases (Rollo, p. 50) which was granted by the trial court (Rollo, p. 52). Hence, the trial proceeded only with respect to accused Maranion and Ragudo.

The prosecution presented six (6) witnesses, to wit: Margarita See Chi, Susana Tonido, Ramona de la Cruz-Guiang, Dr. Bienvenido Munoz, Sgt. Antonio Sityar and Ester de la Cruz.

Margarita See Chi, widow of the victim, William See Chi, owner of the Santolan Variety Mart, located at Santolan, Pasig, Metro Manila, where the crime took place, testified that: On July 27, 1980 at about 10:00 o'clock in the evening, she was at the aforesaid store together with her husband, William, their two children and two housemaids, Criselda Oca and Susana Tonido. At that particular time, accused Rolando Maranion whom she positively identified in open court, then carrying a shoulder bag, arrived at the store ordered a piece of bread and a bottle of soft drink, which he consumed slowly, eliciting suspicion that he was waiting for a companion. He refused to enter the store. A few minutes thereafter, Maranion's companion Patrolman Antonio Benito, arrived at the store, entered the same and announced a hold-up. At that precise moment, Maranion helped Benito close the door of the store. Pat. Benito poked his gun at Margarita and dragged her to the room inside the store where the two housemaids, Criselda and Susana, were. When the door of the said room was opened, Margarita was pushed inside and together with the two maids, were ordered to lie flat facing the floor, and then the door was closed. Moments after, successive gunshots were heard. After waiting for a while, Margarita crawled out of the room and thereupon she saw the lifeless body of her husband, William bathed in his own blood. The cash in the amount of P6,000.00 in the victim's wallet was gone, the store was widely open, and another victim, Sotero de la Cruz, a regular customer, was also sprawled on the ground outside the store, with relatives crying around his body. The police later took her statement and took some pictures of the store premises and one of the victims of the robbery-slay incident (Exhibits "A" to "A-2" and "B" to "B-3", Records, pp. 360-62 and pp. 347-49; TSN, Vol. I, pp. 2-3; Hearing of September 13, 1982; Ibid., Vol. II, pp. 11-15, Hearing of March 24, 1983).

Susana Tonido, a housemaid of the spouses William and Margarita See Chi, corroborated the testimony of the latter as to the identity and the presence of Rolando Maranion, before and during the progress of the robbery. She declared that she was about to close the store that night of July 27, 1980, when accused-appellant Maranion arrived at the store and ordered some snacks. She also testified that said accused was still at the store counter when the robbery was in progress. (TSN, Vol. III, pp. 25-32, Hearing of May 18, 1983).

Ramona de la Cruz Guiang testified that: July 27, 1980, at around 10:00 o'clock in the evening, she and her husband accompanied their preacher in taking a ride. On their way home, they met her father, Sotero de la Cruz, on his way to Santolan Variety Mart to have his money changed. She said that the place was then properly lighted. She declared that she saw her father reach the store. Minutes later, she heard successive gunshots coming from the direction of the store. She saw two men running away from the said store and heading for the main road towards a taxi parked at a gasoline station, which was about 15 to 20 meters away from the store. The tall man was carrying a gun while his companion, whom she later identified as Rolando Maranion, was carrying something she wasn't sure what it was. She also noticed that the taxi at the gasoline station drove towards the two aforesaid men, and after the two boarded the same, it immediately sped away. She also identified the taxi driver as Arsenio Regudo, whom she saw twice, once when going to the main road and then upon her returning home (TSN, Vol. II pp. 17-21, Hearing of June 7, 1983).

Sgt. Antonio Sityar of the Pasig Police testified that he was assigned by his Station Commander on August 9, 1980 to take the extrajudicial confession of Rolando Maranion. He advised Rolando Maranion of his constitutional rights. In the course of the investigation, Maranion identified his co-accused Pat. Antonio Benito from the file of photographs of the police (TSN, Vol. VI, pp. 58-77, Hearing of September 23, 1985).

Ester de la Cruz, widow of Sotero de la Cruz, declared that prior to her husband's death, the latter had been earning about P1,500/month, accepting typing jobs, and that she spent P15,000.00 as burial expenses for her deceased husband (TSN, Vol. VIII, pp. 86-87, Hearing of January 14, 1986).

Dr. Bienvenido Munoz, Medico-Legal Officer of the National Bureau of Investigation (NBI), testified that: On July 28, 1980, he conducted the post-mortem examination on the body of William See Chi and prepared the autopsy report (Exhibit "F", Records, p. 356); that the cause of death is due to gunshot wounds at the back of the deceased victim; and that said wounds were inflicted by two (2) guns of similar caliber, as both have the same measurements (TSN, Vol. V, pp. 46-47, Hearing of February 2, 1984).

On the other hand, the defense, giving an entirely different version of the incident, presented the following witness:

The accused-appellant himself, Rolando Maranion, testified that: On July 27, 1980 at around 5:00 o'clock in the afternoon in Barangay Sta. Lucia, Pasig, Metro Manila, Pat. Antonio Benito arrived requesting him for company to arrest a Chinese drug pusher. He accompanied Benito and the two of them boarded a jeep en route to Rosario Bridge. They alighted from the jeep and took a taxi, and proceeded to Cogeo, Antipolo, where Pat. Benito alighted, asking him to wait as he (Benito) was to look for somebody. The latter returned after a few minutes and asked the taxi driver to proceed to Daang Bakal, Marikina, and upon reaching said place, Pat. Benito again alighted from the taxi and told Maranion to wait. While waiting for Benito for about three (3) hours, Maranion took a snack with the taxi driver whom he came to know as Arsenio Ragudo. Benito finally returned holding a bag with shoes in it and told them that they would go to Pasig. They proceeded to Santolan, Pasig and upon reaching a certain portion thereof asked the driver to park at a gasoline station. Benito alighted from the taxi and asked Maranion to go to Santolan Variety Mart and take a snack. He went to the store and ordered a soft drink and a piece of bread, and while taking his snack, Patrolman Benito arrived at the store holding a gun, grabbing the housemaid (Criselda) and bringing her inside the store. He said he was tongue-tied when he heard Benito announce the hold-up and at the same time saw Benito poke his gun at the housemaids and at Margarita, whom he (Benito) dragged to the room where the housemaids were. William See Chi suddenly approached Pat. Benito and hit the latter with his crutches (William was an amputee). When the former fell down, Benito shot him twice. Benito then poked his gun at Maranion, and because of nervousness, the latter bumped an old man behind him who was put off balance. When he (Maranion) tried to help the old man get up, he heard another gunshot and discovered that he (Maranion) was bleeding, prompting him to flee and run towards the waiting taxi at the gasoline station. He told the driver to go but the taxi could not leave the place because there were vehicles blocking the way. Benito suddenly appeared and poked his gun at him, boarded the taxi and told them to follow instructions. The said taxi proceeded to Crossing where Benito instructed Maranion to get another taxi so that they can go to a hospital to have the latter's wound treated. Boarding another taxi, they proceeded to Rotonda, Pasig, where they alighted at a nearby gas station, only to find out that Benito would not allow him to go to a hospital for fear of being investigated, at the same time warning Maranion not to report to the police what happened, lest he would be killed. Maranion just went home. (TSN, Vol. 9, pp. 90-105, Hearing of September 29, 1986; TSN, Vol. 11, pp. 105-125, Hearing of March 9, 1987).

Accused Arsenio Ragudo for the most part corroborated the testimony of the accused-appellant Maranion. He declared that while waiting for Maranion and Pat. Benito, which took a long time, he decided to look for a barangay or police officer to accompany him in looking for the two, as the reading in his taxi meter had already registered a big amount (P20.00), when he heard successive gunshots coming from the direction of the place where Maranion and Benito proceeded. He said Maranion went back to the taxi bleeding, asking him to rush to a hospital, but they were not able to leave the place immediately because of people blocking the way. When Pat.

Benito came back to them, he poked his gun at Maranion and instructed that they proceed to Pasig. After unloading the two at Rotonda, Pasig and without being paid a single centavo, Ragudo went to his operator and asked the latter to accompany him to the police station to report the incident. (TSN, Vol. 13, pp. 147-161, Hearing of August 11, 1988).

On February 8, 1989, the trial court rendered judgment, the decretal portion of which reads as follows:

"WHEREFORE, based on all the foregoing considerations, the Court finds and declares accused ROLANDO MARANION guilty beyond reasonable doubt as principal by direct participation, of the offense of robbery with double homicide under Article 294, paragraph (1) of the Revised Penal Code (Criminal Case No. 42567) and considering the absence of modifying circumstances, the said accused is hereby sentenced to suffer the penalty of reclusion perpetua, with the accessories prescribed by law.

Likewise, accused ARSENIO RAGUDO is found guilty beyond reasonable doubt, as an accomplice and is hereby sentenced to an indeterminate penalty of six (6) years and one (1) day of prision mayor as minimum, to twelve (12) years and one (1) day of reclusion temporal, as maximum, with the accessories prescribed by law.

Furthermore, the two (2) accused are also ordered to pay and indemnify in solidum the heirs of William See Chi in the sum of P30,000.00 and the heirs of Sotero de la Cruz in the like sum of P30,000.00 and to proportionately pay the costs.

Criminal Case No. 42568, for illegal possession of firearms, is DISMISSED." (Rollo, p. 38; Decision, p. 18)

Hence, this instant appeal by defendant-appellant Rolando Maranion. Arsenio Ragudo withdrew his Notice of Appeal (Records, p. 569).

Accused-appellant raised this lone assignment of error, to wit:

"THE COURT A QUO ERRED IN FINDING THE ACCUSED-APPELLANT GUILTY BEYOND REASONABLE DOUBT OF ROBBERY WITH DOUBLE HOMICIDE ON THE BASIS OF ALLEGED CONSPIRACY BETWEEN HIM AND HIS CO-ACCUSED PAT. ANTONIO BENITO WHICH WAS NOT CLEARLY ESTABLISHED AND PROVEN BY THE PROSECUTION." (Rollo, p. 61)

The main thrust of this appeal is whether or not the guilt of the accused-appellant has been proved beyond reasonable doubt to justify conviction.

Appellant contends that the prosecution evidence establishing conspiracy is insufficient and consequently, does not warrant a finding of guilt beyond reasonable doubt. He claims that he had no knowledge of the plan of his co-accused Pat. Benito to commit the robbery and he did not participate in the killings on the occasion thereof. He insisted that he had been misled by Benito into accompanying the latter supposedly to arrest a Chinese drug pusher. From the time he was fetched from his house by Benito until they reached Santolan, Pasig, after several hours of being together, he declared that he had been completely unaware of the motive and plan of Benito to commit such a nefarious enterprise. In fact, he maintained that he was taken by surprise when while at the Santolan Variety Mart taking his snacks, Benito arrived and announced a hold-up (TSN, Vol. 9, p. 6, Hearing of September 26, 1986). He even claimed to have been bleeding when he tried to help a fallen old man whom he bumped near the store just as he heard gunshots apparently fired by his companion, Benito (Ibid., p. 7). In other words, it is the position of appellant Maranion that he was tricked into joining Benito and later threatened and coerced by the latter, and that Benito individually and solely committed the offense.

The evidence on record shows otherwise. The conspiracy among the accused in the commission of the crime is reflected by proven facts.

It is not disputed that at about 10:00 o'clock in the evening of July 27, 1980, at the Santolan Variety Mart,

Santolan, Pasig, Metro Manila, William See Chi, storeowner, and a regular customer, Sotero de la Cruz, were both shot dead in the course of a robbery where both appellant and his companion, Benito, were present. Appellant and his co-accused were together before, during and after the commission of the crime (TSN, Vol. 11, pp. 9-21, Hearing of March 9, 1987).

Although appellant claims that he was merely asked by Pat. Benito to assist the latter arrest an alleged drug pusher, there is no showing, however, that Benito gave appellant instructions on how the drug pusher would be arrested and other pertinent details pertaining to said arrest (Ibid., pp. 4-10). Law enforcement operations, such as this, normally require a plan or strategy carefully delineated on how to go about the same, more especially when civilians are involved. As opined by the trial court, the pretension that a supposed arrest would be undertaken has been altogether negated by no less than the testimony of said appellant (Rollo, p. 36). Rather, for being together for quite a considerable period of time before the commission of the crime, appellant and Benito must have laid the "blueprint", so to speak, for the execution of the robbery.

Certain acts of the appellant during the progress of the robbery manifest that he and his companion, Benito, had a common evil design and objective. For immediately after Benito had announced the hold-up, appellant closed the door of the store (TSN, Vol. I, p. 3, Hearing of September 13, 1982; Ibid., Vol. 2, p. 12 & 13, Hearing of March 24, 1983). Moreover, appellant was still seen at the store counter during the progress of the robbery (TSN, Vol. III, p. 28, Hearing of May 18, 1983). Thus, while outside the store pretending to have his snacks, appellant saw to it that the coast was clear for a hold-up and when his companion, Benito, arrived at the store announcing the hold-up, appellant closed the door of the store presumably to prevent those persons inside the store from shouting for help and likewise, those outside from witnessing the hold-up thus enhancing the successful execution of the scheme.

Appellant had all the opportunity to break away from Benito, if indeed he did not know what was to happen. He was free when Benito was busy herding the housemaids and Mrs. See Chi into a room inside the building (TSN, Vol. 11, p. 14, Hearing of March 9, 1987). He could have run away when the Chinese storeowner hit Benito with the former's crutches, prompting the accused to shoot the fallen victim (Ibid.). He could have gone home or to the nearest police precinct when he ran away from the scene of the crime (Ibid., pp. 18-19). But he did not. On the contrary, records show that appellant was seen together with Benito heading towards a taxi driven by their co-accused Arsenio Ragudo, who started the engine of the vehicle and proceeded towards the direction of the rushing duo and fled. (TSN, Vol. IV, p. 40, Hearing of June 7, 1983). And for thirteen days, before Pat. Benito paid appellant another visit, the latter did not report the incident to the authorities (TSN, Vol. 11, pp. 23-24, Hearing of March 9, 1987).

Appellant Maranion's conduct or behavior before, during and after the commission of the heinous crime does not sit well with his posture of innocence as his conduct vis-a-vis the acts of his co-accused discloses a common understanding between them with respect to the commission of the offense (People vs. De la Cruz, G.R. No. 84714, October 5, 1990).

Conspiracy exists when two or more persons come to an agreement concerning the commission of a felony and decide to commit it, whether they act through the physical volition of one or all, proceeding severally or collectively (People vs. Laguardia, 148 SCRA 133 [1987]; People vs. Ancheta, 148 SCRA 178 [1987]). And conspiracy need not be established by direct evidence of acts charged, but may and generally must be proved by a number of indefinite acts, conditions and circumstances, which vary according to the purpose accomplished. Previous agreement to commit a crime is not essential to establish conspiracy (People vs. Abueg, 145 SCRA 622 [1986], it being sufficient that the conditions attending its commission and the acts executed may be indicative of a common design to accomplish a criminal purpose and objective (People vs. Taaca, 178 SCRA 56 [1989])). If

there is a chain of circumstances to that effect, conspiracy has been established. (Ibid.).

The very existence of conspiracy is a matter of inference, as a rule, deduced from certain acts of the persons accused, done in pursuance of an apparent criminal or unlawful purpose common between them. The existence of the agreement, or joint assent of the minds need not be proved directly (People vs. Saavedra, 149 SCRA 623 [1987]; People vs. Laguardia and People vs. Ancheta, in fra; Ramos vs. Sandiganbayan, G.R. No. 58876, November 27, 1990).

No conclusion, therefore, can be drawn from the acts of appellant Maranion except that from his conduct before, during and after the commission of the crime, he is a confederate in the commission of the crime of robbery and at the very least, approved of the act of his companion, Benito, in firing upon the victims to forestall any opposition to the successful execution of the offense. Well-settled is the rule that a person may be convicted for the criminal act of another, where between them, there has been conspiracy or unity and intention in the commission of the offense charged (People vs. Talla, 181 SCRA 133, [1990]).

For indeed, it is well-entrenched in our jurisprudence that when there is conspiracy, the act of one is the act of all, and all persons taking part in the crime shall be held guilty as principals. It is of no moment that not all the accused took part in the actual commission of every act constituting the crime. Each is responsible for all the acts of the others done in the furtherance of the conspiracy (People vs. Obando, 182 SCRA 95 [1990]; People vs. Quinones, 183 SCRA 747 [1990]).

Thus, even assuming arguendo that appellant Maranion never fired a gun, he would still be principally liable as a co-conspirator in the killing of William See Chi and Sotero de la Cruz, for while only Benito might have inflicted the fatal blows or wounds, nevertheless, he (appellant) must be held liable for the killings under the principle that the act of a conspirator is the act of all co-conspirators. The degree of actual participation in the commission of the crime is immaterial in a conspiracy (People vs. Cantuba, 183 SCRA 289 [1990]; People vs. Centre, 186 SCRA 76 [1990]).

The crime committed, therefore, in the case at bar is Robbery with Homicide as defined and penalized under Article 294, par. (1) of the Revised Penal Code. Where the killing of the victims is directly linked to the robbery and such unquestionably happened during and on the occasion of the robbery, the crime committed is robbery with homicide (People vs. Nabaluna, 142 SCRA 446 [1986]). It is only the result obtained, without reference or distinction as to the circumstances, causes, modes or persons intervening in the commission of the crime that has to be taken into consideration. All those who took part in the commission of the robbery as principals are also adjudged as principals in the special complex crime of "robo con homicidio", although they did not actually take part in the homicide, unless it clearly appears that any or some of them endeavored to prevent the homicide (People vs. Pecato, 151 SCRA 14 [1987]). In the case at bar, the evidence on record is bereft of any showing that appellant Maranion tried to prevent the killing of the victims. What is shown instead is that appellant merely stood watching and doing nothing when his companion, Benito shot the victims on the occasion of the robbery.

Finally, it must be stressed at this juncture that it is the nature of the crime of robbery with homicide that the homicides, irrespective of their number, committed on the occasion of or by reason of the robbery, are merged in the composite crime of "robbery with homicide". It is error therefore, to treat the death of the victims as "double or multiple homicide", for in this special complex crime, the number of persons killed is immaterial and does not increase the penalty prescribed in Article 294 of the Revised Penal Code (People vs. Solis, G.R. Nos. 78732-33, February 14, 1990; People vs. Quinones, *infra*).

PREMISES CONSIDERED, the decision of the trial court is hereby AFFIRMED, holding appellant Rolando Maranion guilty beyond reasonable doubt as principal of the special complex crime of robbery with homicide, as

defined and penalized under Article 294, par. 1 of the Revised Penal Code. The amount of civil indemnity awarded must, however, be increased to FIFTY THOUSAND PESOS (P50,000.00) for each of the two (2) victims, William See Chi and Sotero de la Cruz, in line with the policy adopted by this Court En Banc on August 30, 1990 (People vs. Sazon, G.R. No. 89684, September 18, 1990; People vs. Jereza, G.R. No. 86230, September 18, 1990).

SO ORDERED.

Melencio-Herrera, (Chairman), Padilla, Sarmiento, and Regalado, JJ., concur.

* Penned by Judge Alfredo C. Flores

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.