

**Title:** People of the Philippine Islands vs. Celerino Colocar

**Facts:**

1. **Incident Overview:**

- **Date & Location:** On the night of May 2, 1933, in Calapan, Mindoro, Philippines.
- **Act Committed:** Celerino Colocar allegedly set fire to a fish-net and a banca (boat) owned by Mauricio Ahorro.

2. **Witness Accounts:**

- **Pacifico Inato:**
  - At around 1 AM, witnessed the fire from the shore and identified Colocar in the boat with a flashlight.
  - Colocar, startled by the light, ran away from the scene.
- **Estanislao Acha & Francisco Avenilla:**
  - Also saw the burning fish-net and boat at around 1 AM.
  - Testified they saw Colocar walking away hastily from the burning boat.

3. **Damage Assessment:**

- Total damage was valued at P380 (P350 for the fish-net and P30 for the boat).

4. **Accused's Defense:**

- Colocar denied the accusations asserting an alibi that he was asleep at home since 9:30 PM.
- Claimed that Avenilla was too drunk to have witnessed anything and Inato was physically incapable of being present due to illness.

**Procedural Posture:**

1. **Initial Trial:**

- Conducted in the Court of First Instance of Mindoro.
- **Verdict:** Colocar was found guilty of arson under Article 322(3) of the Revised Penal Code.
- **Sentence:** Two years, eleven months, and eleven days of prision correccional, and an indemnity of P380 to Ahorro.

2. **Appeal:**

- Filed by Colocar, asserting errors in the trial court's judgment particularly relating to the

credibility of witnesses and the sufficiency of evidence proving his guilt.

**\*\*Issues:\*\***

1. **\*\*Credibility of Witnesses\*\***:

- Whether the testimonies of Pacifico Inato and Estanislao Acha were credible and reliable enough to convict Colocar.

2. **\*\*Sufficiency of Evidence\*\***:

- Whether the trial court erred in finding that Colocar deliberately set fire to the fish-net and banca.

3. **\*\*Aggravating Circumstance of Recidivism\*\***:

- Legal interpretation of considering prior convictions as an aggravating circumstance despite the passage of time.

**\*\*Court's Decision:\*\***

1. **\*\*Credibility of Witnesses\*\***:

- Supreme Court held there was no reason to disturb the trial court's findings on the credibility of prosecution witnesses.

2. **\*\*Sufficiency of Evidence\*\***:

- The Court upheld the trial court's reliance on testimony and circumstantial evidence proving Colocar's guilt beyond reasonable doubt.

3. **\*\*Aggravating Circumstance\*\***:

- The Supreme Court affirmed that Colocar's prior conviction (robbery in 1916) should be considered as an aggravating circumstance of recidivism despite the 16-year gap.

- The law does not specify a time limit after which a prior conviction cannot be considered for recidivism under the Revised Penal Code.

**\*\*Doctrine:\*\***

- **\*\*Application of Recidivism\*\***: The case affirms that recidivism as an aggravating circumstance has no temporal limitations under the Revised Penal Code of the Philippines.

- **\*\*Aggravating Circumstance\*\***: Using a prior conviction for crimes within the same title (Title X of the Revised Penal Code) as an aggravating circumstance even after a significant lapse of time.

**\*\*Class Notes:\*\***

- **\*\*Elements of Arson\*\***:
  1. **\*\*Intentional Act\*\***: Setting fire to property (fish-net and banca in this case).
  2. **\*\*Ownership & Damage\*\***: The property damaged belonged to another person (Mauricio Ahorro), and the damage assessed.
- **\*\*Recidivism\*\***:
  - Defined as when a person on trial has a previous conviction for another offense included in the same title of the Penal Code.
- **\*\*Legal Statutes\*\***: Ang 322(3) and Article 14 of the Revised Penal Code.
- **\*\*Prison Sentences\*\***:
  - Imposed penalties considering aggravating or mitigating circumstances under Article 89 and 90 of the Revised Penal Code.

**\*\*Historical Background:\*\***

- The case contextualizes the post-colonial period in the Philippines, under American influence, reflecting a transitional justice system incorporating Spanish Penal Code with local specifics.
- Highlights societal emphasis on property protection and legal adherence to formalized codes under the Revised Penal Code, emphasizing legal continuity despite shifts in sovereign governance and the judicial system's evolution.