

5 Phil. 377

[ G.R. No. 2168. December 05, 1905 ]

**THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. BLAS CASANAS ET AL.,  
DEFENDANTS AND APPELLANTS.**

**D E C I S I O N**

**JOHNSON, J.:**

The defendants were charged with the crime of rape by the fiscal of the Province of La Laguna and were tried by the Court of First Instance of that province. The defendants Simeon Capunitan, Benito Padua, and Segundo Viernes were acquitted.

After hearing the evidence admitted in said cause, the court found that Rafael Casanas, Blas Casanas, Anastasio Ligaya, and Eulalio Realon were guilty of the crime of rape, the first as author of said crime and the others as accomplices, with the aggravating circumstance of having committed the crime in the house of the offended Agapita Bedico and in the presence of Juan Padilla, to whom she was betrothed, circumstances that added to the ignominy of the act, and sentenced Rafael Casanas to be imprisoned for a period of seventeen years four months and one day of *reclusion temporal*, and Blas Casanas, Anastasio Capunitan, and Eulalio Realon to be imprisoned for a period of ten years and one day of *prision mayor*, with the accessories of the law, and to pay to the offended party an indemnity of 500 pesos, and each to pay one-seventh part of the costs.

From this decision these defendants appealed to this court.

An examination of the evidence adduced during the trial shows clearly that the crime was committed as charged in the complaint, and that the said defendants, Rafael Casanas, Blas Casanas, Anastasio Ligaya, and Eulalio Realon, each assisted directly in the perpetration

of said offense.

This court decided in the case of the United States vs. Guillermo Maza<sup>[1]</sup> (4 Off. Gaz., 15) that where two or more persons unite for the execution of a criminal offense whether they act jointly or separately, but all act for the purpose of consummating the same offense, that they are each as liable as though they acted alone.

It is the judgment of this court, therefore, that the sentence of the inferior court be reversed and that Rafael Casanas, Blas Casanas, Anastasio Ligaya, and Eulalio Realon be imprisoned for a period of seventeen years four months and one day of *reclusion temporal* and to suffer the accessory penalties of article 59 of the Penal Code and all to endow by way of indemnification, Agapita Bedico in the sum of 500 pesos and to support the offspring, if one should result from the crime with which these defendants are charged, and each to pay one-seventh part of the costs of the inferior court and the costs of this court. So ordered.

*Arellano, C. J., Torres, Mapa, Carson, and Willard, JJ., concur.*

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<sup>[1]</sup> Page 346, *supra*.

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