

THIRD DIVISION

[G.R. NO. 172695, June 29, 2007]

**PEOPLE OF THE PHILIPPINES, APPELLEE, VS. ISAIAS CASTILLO
Y COMPLETO, APPELLANT.**

DECISION

YNARES-SANTIAGO, J.:

In an Information^[1] dated January 19, 1994, appellant Isaias Castillo y Completo was charged with the crime of parricide, committed as follows:

That on or about November 5, 1993, in the Municipality of Cabuyao, Province of Laguna and within the jurisdiction of this Honorable Court, accused Isaias Castillo y Completo, while conveniently armed with illegally possessed sling and deadly arrow, with intent to kill his wife Consorcia Antiporta with whom he was united in lawful wedlock did then and there wilfully, unlawfully and feloniously shot and hit his wife Consorcia Antiporta with the aforesaid deadly arrow, hitting the latter on the right side of her neck causing the laceration of the jugular vein which caused her instantaneous death.

CONTRARY TO LAW.^[2]

The case was docketed as Criminal Case No. 8590-B and raffled to Branch 24 of the Regional Trial Court of Biñan, Laguna.

Appellant entered a plea of not guilty when arraigned on April 15, 1994. Trial thereafter ensued.

The facts as found by the trial court are as follows:

There is no dispute that the victim, Consorcia Antiporta Castillo, died violently in the evening of November 5, 1993. The cause of her death was massive hemorrhage due to "laceration of the jugular vein of her neck". According to Dr. Solita P. Plastina, Municipal Health Officer of Calamba, Laguna, who conducted the autopsy on the victim's body, the fatal weapon could have been a "pointed instrument like a nail". There is no dispute likewise that the accused shot with a dart from a rubber sling, his wife hitting her at the neck and causing her instantaneous death. The letters written by the accused from his detention cell addressed to his mother-in-law, to his father-in-law, and lastly, the victim's sister, speak so eloquently of someone who accepts the fault for the early demise of the victim. Asking forgiveness from the close relatives of the victim is a clear admission of authorship of the fatal act.

In the same letters, the accused raised as an issue his lack of intent to

do the fatal harm to his wife. This is the same issue to be resolved by this Court. Whether or not the fatal injury sustained by the victim was accidental.

x x x x

Guillermo Antiporta, father of the victim, narrated in Court that in the evening of November 5, 1993, between 9:00 o'clock to 10:00 o'clock, the accused came home drunk and was in an angry mood. The accused kicked the door and table, and then threw the electric fan away. He was prevailed upon by Guillermo to take a rest. But the accused did not heed the advice of Guillermo as he took instead his sling and arrow from the house ceiling where he was keeping them. Dejectedly, Guillermo transferred to the adjacent house of her x x x daughter [in-law] Yolanda. From there, Guillermo heard the victim crying and, afterwards, shouting at the accused. Guillermo concernedly ordered Yolanda to see what was happening inside the house of Consorcía, and Yolanda obeyed. On her way, Yolanda met the accused carrying the bloodied body of Consorcía. Guillermo, the accused, and Yolanda brought Consorcía to the hospital but to no avail.

From all the circumstances gathered, the infliction of the fatal injury upon Consorcía was preceded by a quarrel between her and the accused. This spat negated the accused's version that he was practicing the use of the weapon when Consorcía was hit by the arrow, and lends credence to the prosecution's contention that the shooting was intentional.

x x x To sustain the accused's assertion that he was practicing the use of said weapon at the time of the incident is patently absurd. The defense even failed to rebut Guillermo Antiporta's testimony that the accused was keeping said sling and arrow inside his house.

It might be true that the accused was one of those who rushed the victim to the hospital and while on the way, he sounded remorseful. But Guillermo Antiporta further testified that while the victim was being attended to by the medical personnel of said hospital, the accused stayed outside the hospital premises, then he disappeared. He was later on apprehended by police authorities while hiding inside the comfort room of a premises in an adjoining barangay. The accused's omission to surrender himself to the authorities is a clear indication of guilt.^[3]

After several hearings, the trial court rendered on October 5, 1998, a decision,^[4] the dispositive portion of which reads:

WHEREFORE, this Court hereby finds accused ISAIAS CASTILLO Y COMPLETO GUILTY beyond reasonable doubt of the crime of PARRICIDE and hereby sentences him to a penalty of RECLUSION PERPETUA and to indemnify the heirs of the victim in the sum of P50,000.00, as moral damages.

SO ORDERED.^[5]

Appellant filed an appeal with the Court of Appeals, alleging that the prosecution failed to sufficiently establish his guilt beyond reasonable doubt. However, in a Decision^[6] dated February 28, 2005, the Court of Appeals denied appellant's appeal and affirmed with modification the decision of the trial court, to wit:

WHEREFORE, premises considered, the decision dated October 5, 1998 of the Regional Trial Court, Branch 24 of Biñan, Laguna is hereby AFFIRMED with the modification that accused-appellant Isaias Castillo y Completo is further ordered to indemnify the heirs of the victim the amount of P50,000.00 as civil indemnity.

SO ORDERED.^[7]

Appellant filed a motion for reconsideration but it was denied in a Resolution dated June 16, 2005.

Hence, this appeal.

Appellant alleged that the pieces of circumstantial evidence on which his conviction was based did not sufficiently establish his guilt beyond reasonable doubt; that the prosecution failed to prove his motive in killing his wife; or that they had a quarrel immediately prior to the incident.

Appellant likewise claimed that it was not established that he was the one who shot his wife with a deadly arrow considering that at the time of the incident, he and his drinking buddies were all engaged in target shooting using the sling and arrow. Hence, he surmised that any one of them could have shot the victim. At any rate, even assuming that he was the one who killed his wife, the same was accidental and not intentional.

Furthermore, he claimed that his presence at the crime scene did not establish his guilt beyond reasonable doubt. His arrest while hiding inside a toilet in the adjoining barangay, while his wife was being treated in the hospital, likewise does not prove his complicity since the prosecution did not prove that he deliberately hid inside the toilet.

Finally, the letters he sent to his father-in-law, mother-in-law and sister-in-law where he asked for forgiveness should not be considered as admission of guilt.

The petition lacks merit.

Direct evidence of the commission of the offense is not the only matrix wherefrom a trial court may draw its conclusions and finding of guilt. Conviction can be had on the basis of circumstantial evidence provided that: (1) there is more than one circumstance; (2) the facts from which the inferences are derived are proven; and (3) the combination of all the circumstances is such as to produce a conviction beyond reasonable doubt. While no general rule can be laid down as to the quantity of circumstantial evidence which will suffice in a given case, all the circumstances proved must be consistent with each other, consistent with the hypothesis that the accused is guilty, and at the same time inconsistent with the hypothesis that he is innocent, and with every other rational hypothesis except that of guilt. The circumstances proved should constitute an unbroken chain which leads to only one

fair and reasonable conclusion that the accused, to the exclusion of all others, is the guilty person.^[8] Proof beyond reasonable doubt does not mean the degree of proof excluding the possibility of error and producing absolute certainty. Only moral certainty or "that degree of proof which produces conviction in an unprejudiced mind" is required.^[9]

In the instant case, all the essential requisites for circumstantial evidence to sustain a conviction, are present. As correctly found by the Court of Appeals, the following pieces of circumstantial evidence indubitably established that appellant was the perpetrator of the crime, to wit:

1. Consortia would often confide to her sister Leticia about the violent behavior of her (Consortia) husband, herein accused-appellant. And even if Consortia would not tell Leticia about the beatings, the latter would see her face with black eyes as evident proofs of maltreatment.
2. On the night of the incident, accused-appellant arrived at their house drunk and displaying violent behavior, kicking the door and table.
3. Accused-appellant was last seen holding and practicing his sling and arrow.
4. Immediately afterwards, Consortia was heard crying and shouting.
5. Accused-appellant was thereafter seen carrying Consortia, bloodied and unconscious, to be brought to the hospital where she later died.
6. The autopsy findings indicate that Consortia sustained a punctured wound in the neck which fatally lacerated her jugular vein. The cause of the wound was a pointed object.
7. While detained, accused-appellant wrote letters to the parents and sister of Consortia asking for forgiveness.

Also notable is accused-appellant's behavior immediately after the incident. He disappeared and did not enter the clinic where Consortia was rushed for treatment. And when Consortia's sister later sought police assistance in searching for accused-appellant, the latter was found by the police hiding inside a toilet at a nearby barangay.^[10]

There is no merit in appellant's contention that the prosecution failed to prove motive in killing his wife. Intent to kill and not motive is the essential element of the offense on which his conviction rests.^[11] Evidence to prove intent to kill in crimes against persons may consist, inter alia, in the means used by the malefactors, the nature, location and number of wounds sustained by the victim, the conduct of the malefactors before, at the time, or immediately after the killing of the victim, the circumstances under which the crime was committed and the motives of the accused. If the victim dies as a result of a deliberate act of the malefactors, intent to kill is presumed.^[12]