

## THIRD DIVISION

[ G.R. Nos. 118099-100, August 22, 1996 ]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.  
RICARDO TAZO Y YABUT AND POMPEYO VARGAS Y DIALOGO,  
ACCUSED-APPELLANTS.**

### D E C I S I O N

**MELO, J.:**

This has reference to an appeal from the Joint Decision dated June 22, 1994 of the Regional Trial Court of the National Capital Judicial Region (Branch 9, Manila), the Honorable Edilberto G. Sandoval presiding, in its Criminal Cases No. 93-114588 and 93-114589, convicting the two herein accused of kidnapping and serious illegal detention, and imposing on each of them the penalty of *reclusion perpetua*, aside from ordering them to indemnify the offended parties the sum of P5,000 as actual damages and P30,000 as moral damages (p. 32, Rollo).

Dissatisfied therewith, accused-appellants are now before us pleading for acquittal on the ground of reasonable doubt.

An evaluation and review of the evidence show that the following findings of fact of the trial court, as quoted with page references to the transcript of stenographic notes supplied, in the brief submitted by the Office of Solicitor General, are supported by the evidence:

x x x private complainant Marilyn Bobo y Angeles, a thirty-year old housewife, was, at about 6:30 a.m. on January 5, 1994, with her seven-year old daughter Reynalyn Boco accompanying the latter to her school (TSN, July 30, 1993, pp. 3, 7-8). They were walking along Aragon St., Sampaloc, Manila on the way to Juan Sumulong Elementary School when a black car so heavily tinted stopped near them, and two men with cover on their faces alighted, poked their guns on them and forced them to board the car (Ibid.). Inside the car she saw two more men, and daughter and mother were thereafter blindfolded (Ibid., p. 10). She identified the two other men as accused Ricardo Tazo and Pompeyo Vargas (Ibid.). After travelling for thirty (30) minutes, one of the four (4) men asked Marilyn if she knew the place and when she answered she did not because her eyes were covered, she was informed that they were at Lagro and was ordered to make a telephone call to her husband, instructing her to tell her husband that the latter should come across with P10,000.00 for her and her daughter's release (Ibid., pp. 10-11). She alighted from the car and after the telephone talk with her husband, with the instruction to deliver the money to Isetann, Claro M. Recto, Manila, the car continued, this time without the cover on their eyes (Ibid., pp. 12-13). She realized they were in Caloocan City where they were brought inside a house which looked like a printing press (Ibid., pp.