



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **September 7, 2022** which reads as follows:*

**“G.R. No. 247607 (*People of the Philippines, plaintiff-appellee v. Julio P. Bahyon, accused-appellant*). —** This Court resolves the appeal from the Decision<sup>1</sup> dated September 27, 2018 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08577, affirming the conviction of accused-appellant Julio P. Bahyon (*Julio*) for parricide under Article 246 of the Revised Penal Code in the Decision<sup>2</sup> dated July 1, 2016 of Regional Trial Court of Lagawe, Ifugao, Branch 14 (*RTC*), for the death of Rita D. Bahyon (*Rita*), his lawful spouse.

The accusatory portion of the Information<sup>3</sup> reads:

That on or about July 21, 2013 at Gumhang, Tinoc, Ifugao, Philippines and within the jurisdiction of this Honorable Court, the above-named accused armed with a piece of wood, with intent to kill and with treachery and evident premeditation, did then and there, willfully, unlawfully, and feloniously beat Rita Bahyon, with whom he was united in lawful wedlock, several times on his (sic) head, neck and body, which eventually caused her death.

The crime was committed with treachery and evident premeditation and with abuse of superior strength.

Contrary to law and to the damage and prejudice of the victim.

Upon arraignment, Julio entered a plea of “not guilty” to the crime charged.<sup>4</sup> After pretrial, trial on the merits ensued.

The prosecution presented Moreno Guay (*Moreno*), the brother of Julio, who testified that on the morning of July 21, 2013, he was planting cabbage in Gumhang, Tinoc, Ifugao, with Rita.<sup>5</sup> Thereafter, by 5:30 p.m., Rita asked

<sup>1</sup> Penned by Associate Justice Zenaida T. Galapate-Laguilles, with Associate Justices Stephen C. Cruz and Rafael Antonio M. Santos concurring; *rollo*, pp. 3-19.

<sup>2</sup> Penned by Presiding Judge Romeo U. Habbiling; *CA rollo*, pp. 36-43.

<sup>3</sup> Records, p. 1.

<sup>4</sup> Order dated October 10, 2013; *id.* at 21.

<sup>5</sup> TSN, March 6, 2014, p. 4.

permission from him to head toward Moreno's house to wash her clothes.<sup>6</sup> Upon heading home, Moreno saw Julio hitting Rita on the face with firewood.<sup>7</sup> He yanked Julio outside of his house and tended to the bloodied Rita.<sup>8</sup> Julio likewise attempted to hack Rita with a bolo, but Moreno was able to seize the same.<sup>9</sup> He called his neighbors for help before rushing Rita to the hospital.<sup>10</sup>

At 8:30 p.m., Police Officer 2 Nestor Puguon (*PO2 Puguon*) proceeded with Police Officer 1 Rolly Dulawan (*PO1 Dulawan*) to Moreno's house in response to information from a concerned citizen, where they came across Julio and brought him to the Tinoc Municipal Police Station for investigation.<sup>11</sup> PO2 Puguon likewise mentioned how Julio admitted maltreating Rita for supposedly having an illicit affair.<sup>12</sup>

Dr. Jocelyn G. Basco (*Dr. Basco*) was the attending physician at Tinoc District Hospital wherein Rita was initially brought.<sup>13</sup> Due to her condition, Rita was transferred to the Baguio General Hospital and Medical Center (*Baguio General Hospital*), where she died on August 2, 2013.<sup>14</sup>

Julio was the sole witness for the defense. He maintained that he was in his own house, which was around two to three kilometers away from Gumhang, Tinoc, Ifugao on July 21, 2013.<sup>15</sup> There, he was supposedly with a neighbor planting beans in the garden of his house.<sup>16</sup> He claimed that he never went out that day.<sup>17</sup>

On July 1, 2016, the RTC rendered its Decision,<sup>18</sup> finding Julio guilty beyond reasonable doubt of the crime of parricide, the *fallo* of which reads:

WHEREFORE, accused is hereby found guilty beyond reasonable doubt of the crime of Parricide defined and penalized under Article 246 of the Revised Penal Code, as amended, and is sentenced to suffer the penalty of imprisonment of *reclusion perpetua* and to pay the heirs of the late Rita Bahyon the amounts of Seventy[-]Five Thousand (P75,000.00) Pesos as civil indemnity, Seventy[-]Five Thousand (P75,000.00) Pesos as moral damages, Twenty[-]Five Thousand Pesos (P25,000.00) as temperate damages, and Thirty Thousand (P30,000.00) Pesos as exemplary damages. All monetary awards for damages shall be subject to a six percent (6%)

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 5-6.

<sup>8</sup> *Id.* at 6.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 6-7.

<sup>11</sup> TSN, October 9, 2014, pp. 3-4.

<sup>12</sup> *Id.* at 4.

<sup>13</sup> TSN, June 2, 2015, pp. 2-4.

<sup>14</sup> *Id.* at 5.

<sup>15</sup> TSN, October 1, 2015, pp. 2-3.

<sup>16</sup> *Id.* at 3.

<sup>17</sup> *Id.* at 4.

<sup>18</sup> CA *rollo*, pp. 36-43.

interest *per annum* from the finality of this Decision until satisfaction of the award.

SO ORDERED.<sup>19</sup>

The RTC established that Rita was mortally injured by accused-appellant, her own spouse, to the exclusion of all others.<sup>20</sup> It ruled that Julio's bare denials were "very hard to believe"<sup>21</sup> and, likewise, Julio's invocation of alibi was "underserving of any weight in law."<sup>22</sup> However, the RTC did not find that the crime was attended by any of the alleged aggravating circumstances.<sup>23</sup>

Julio filed a Notice of Appeal<sup>24</sup> dated August 23, 2016, questioning the RTC's ruling. Mainly, Julio claimed that the prosecution failed to prove that he caused Rita's death,<sup>25</sup> and that the RTC gravely erred in disregarding the evidentiary weight of Julio's defense in view of the supposed insufficiency of evidence against him.<sup>26</sup>

In its Decision<sup>27</sup> dated September 27, 2018, the CA denied the appeal of Julio and affirmed his conviction for parricide, thus:

WHEREFORE, premises considered, the instant *Appeal* filed by Julio P. Bahyon on 24 August 2016 is DENIED. The *Decision* rendered by the Regional Trial Court, Branch 14, Lagawe, Ifugao on 1 July 2016 in Criminal Case No. 2190 is AFFIRMED.

SO ORDERED.<sup>28</sup>

In so ruling, the CA confirmed that the proximate cause of Rita's death was Julio's violent aggression, and that unlike the jurisprudence he invokes, there was no tetanus or infection that served as an efficient intervening cause that can otherwise be considered the proximate cause of Rita's death.<sup>29</sup> Moreover, the CA found that while there was no categorical statement classifying Rita's wounds as mortal or fatal, the testimony of Dr. Basco sufficiently established the severity of Rita's wounds, and her failure to recover from the same was evidence of the viciousness of Julio's attack.<sup>30</sup> Further, Julio's defenses of alibi and denial were considered by the CA as weak defenses in view of the contrary positive testimony of Moreno, his brother.<sup>31</sup>

<sup>19</sup> *Id.* at 43.

<sup>20</sup> *Id.* at 39.

<sup>21</sup> *Id.* at 40.

<sup>22</sup> *Id.* at 42.

<sup>23</sup> *Id.* at 42-43.

<sup>24</sup> *Id.* at 9.

<sup>25</sup> *Id.* at 31.

<sup>26</sup> *Id.*

<sup>27</sup> *Rollo*, pp. 3-19.

<sup>28</sup> *Id.* at 18-19.

<sup>29</sup> *Id.* at 13-18.

<sup>30</sup> *Id.* at 14-15.

<sup>31</sup> *Id.* at 15-16.

Undeterred, Julio filed the instant appeal.

To convict an accused of parricide, the prosecution must prove the following elements: (1) a person is killed; (2) the accused is the killer; and (3) the deceased is either the legitimate spouse of the accused, or any legitimate or illegitimate parent, child, ascendant, or descendant of the accused.<sup>32</sup>

In the present case, the prosecution successfully established all the elements of parricide.

*First*, the parties stipulated that Rita died at the Baguio General Hospital.<sup>33</sup>

*Second*, accused-appellant's very own brother, Moreno, testified that on July 21, 2013, while accused-appellant, Rita and their children were in Moreno's house in Gumhang, Tinoc, Ifugao, he personally saw accused-appellant hitting Rita with a piece of firewood, which resulted in her face being bloodied, with Moreno even pulling away accused-appellant from Rita during the attack:

Q And what did you see when you reach[ed] your house?

A I saw Julio hitting his wife.

Q What was their position when you saw Julio Bahyon hitting his wife, Mr. Witness?

A Rita Bahyon was [in] a lying position.

Q What part of the body of Rita was Julio hitting?

A The face.

Q What was Julio using in hitting the face of Rita?

A Piece of firewood.

Q And what did you do when you saw Julio Bahyon hitting his wife?

A I pulled Julio and brought him outside.

Q Outside of what, Mr. Witness?

A Outside my house.

Q By the way, where did you see Julio hitting his wife?

A Inside my house, sir.

Q And after pulling Julio outside your house, what happened next, if any, Mr. Witness?

A I went to wipe the face of Rita.

Q Why did you wipe the face of Rita?

A It was bloodied.<sup>34</sup>

<sup>32</sup> *People v. Delos Santos*, G.R. No. 248929, November 9, 2020.

<sup>33</sup> Order dated August 12, 2015; records, p. 137.

<sup>34</sup> TSN, March 6, 2014, pp. 5–6.

After pulling away accused-appellant from Rita and wrestling away the *bolo* which accused-appellant used to attempt to hack Rita and Moreno himself, Rita was brought to the hospital.<sup>35</sup> Rita was initially brought to the Tinoc District Hospital, but was later brought to the Baguio General Hospital, where she died on August 2, 2013.<sup>36</sup>

The RTC found that it was clear that it was accused-appellant who inflicted the mortal injuries upon Rita, per the categorical testimony of Moreno:

From the testimony of Moreno Guay, brother of accused, it is clearly shown that accused was the one who assaulted Rita Bahyon inflicting upon her mortal injuries. Prosecution witness Moreno Guay categorically testified that he saw accused Julio Bahyon striking the face of Rita Bahyon with a piece of wood. No brother would incriminate his own sibling of a very serious offense unless he is telling the truth.<sup>37</sup>

In view of all the evidence presented by the prosecution, the RTC concluded that: (1) Rita's death was caused by the acts of accused-appellant, (2) Rita was mortally injured that day, and (3) accused-appellant is "the author of the crime to the exclusion of all others":

The evidence of the prosecution would clearly show that accused Julio Bahyon and the late Rita Bahyon are spouses. Accused Bahyon on July 21, 2013 struck with a piece of firewood the face of Rita Bahyon inflicting mortal wounds on Rita Bahyon. Rita Bahyon was rushed to the Tinoc District Hospital, Tinoc, Ifugao. As the hospital was not equipped with the needed medical equipment[], the attending physician then referred Rita Bahyon to the Baguio General Hospital and Medical Center where she died on August 2, 2013.

The foregoing factual circumstances established by the evidence of the prosecution would sufficiently show that Rita Bahyon was mortally injured on July 21, 2013 and that accused is the author of the crime to the exclusion of all others.<sup>38</sup>

*Third*, the fact that accused-appellant and Rita were lawfully married was stipulated upon during the pretrial.<sup>39</sup>

In an attempt to discredit the prosecution's evidence, accused-appellant argued that the acts he purportedly committed on July 21, 2013 were not the proximate cause of the death of the victim Rita 12 days later, or on August 2,

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<sup>35</sup> *Id.* at 6–9.

<sup>36</sup> TSN, June 2, 2015, pp. 2–5.

<sup>37</sup> CA *rollo*, p. 41.

<sup>38</sup> *Id.* at 39.

<sup>39</sup> Pre-Trial Order dated October 24, 2013; records, pp. 30–31.

2013.<sup>40</sup> He posited that the lapse of those 12 days constituted an “efficient intervening event,” claiming that “there were other possible causes for Rita’s death.”<sup>41</sup> In particular, accused-appellant conjectured that “the attending nurses and physicians could have conducted a series of operation[s] or gave any medication that aggravated her condition, which resulted in her death.”<sup>42</sup>

Jurisprudence defines proximate cause as “that cause, which, in natural and continuous sequence, unbroken by any efficient intervening cause, produces the injury, and without which the result would not have occurred.”<sup>43</sup>

As astutely observed by the CA in both *Urbano v. Intermediate Appellate Court*<sup>44</sup> and *People v. Villacorta*,<sup>45</sup> cited by accused-appellant, the tetanus infection that led to the death of the victim therein several days later was determined to be the efficient intervening event that is distinct and foreign to the crime.<sup>46</sup> In this case, no tetanus or any other efficient intervening cause distinct and foreign to the criminal act committed was identified or substantiated by the defense evidence. Accused-appellant merely banks on the mere passing of 12 days and the unfounded speculations on the acts of healthcare professionals who treated the victim Rita, whom accused-appellant claims to “have conducted a series of operation[s] or gave any medication that aggravated her condition, which resulted in her death.”<sup>47</sup>

Similarly, the CA was correct in noting that the invocation of *Serrano v. People*<sup>48</sup> did not benefit accused-appellant’s case, as that case held that the accused therein cannot be held liable for the death in view of the lack of evidence to prove the gravity of the wound, whereas in this case, there was more than sufficient evidence showing the gravity of the wounds of Rita.<sup>49</sup>

Here, the severity of the wounds sustained by Rita at the hands of accused-appellant was evidenced by the testimony and documentation of the attending physician, Dr. Basco. Notably, in the medical certificate she issued, the following findings/diagnosis was indicated: “contusion hematoma inner quadrant breast right, contusion hematoma pareto-occipital right, hematoma face & neck posterior & anterior neck, hematoma middle third arm right, abrasion interior [n]eck, [continuous] bleeding mouth, nose[, and] ears.”<sup>50</sup>

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<sup>40</sup> CA rollo, pp. 29–30

<sup>41</sup> *Id.* at 30.

<sup>42</sup> *Id.*

<sup>43</sup> *People v. Villacorta*, 672 Phil. 712, 722 (2011).

<sup>44</sup> 241 Phil. 1 (1988).

<sup>45</sup> *Supra* note 43.

<sup>46</sup> *Rollo*, pp. 10–12.

<sup>47</sup> CA rollo, p. 30.

<sup>48</sup> 637 Phil. 319 (2010).

<sup>49</sup> *Rollo*, p. 13.

<sup>50</sup> Medical Certificate dated July 22, 2013, Exhibit “F”; records, p. 8.

Further elaborating on the condition of Rita, Dr. Basco testified in open court that Rita was unconscious when she was brought to the Tinoc District Hospital, and that they referred her case to the Baguio General Hospital because she needed to be intubated.<sup>51</sup> Moreover, she confirmed that Rita was admitted for almost two weeks at the Intensive Care Unit (*ICU*) of the Baguio General Hospital before she expired, despite the medical attention given to her.<sup>52</sup>

Verily, the death of Rita, despite the medical attention she received, was the natural and continuous effect of the injuries caused by the acts of accused-appellant. No other efficient intervening cause was proven that broke this natural and continuous sequence of events.

Hence, this Court affirms the finding of the courts *a quo* that accused-appellant killed Rita, his own spouse.

With respect to the defense of alibi proffered by accused-appellant, the same crumbles in the face of credible positive identification from witnesses. Particularly, accused-appellant claims that on the day of the attack, he was with his neighbor planting beans in the garden of his house, which was two to three kilometers from his brother's house in Gumhang, Tinoc, Ifugao, which was the scene of the crime.<sup>53</sup> He further claims that he was with his neighbor that day, and that during the entire day he never went out.<sup>54</sup>

In determining whether an alibi is meritorious, the case of *People v. Domingo*<sup>55</sup> is instructive:

x x x Well-settled is the rule that alibi is always viewed with suspicion, because it is inherently weak and unreliable. The defense of alibi assumes significance or strength when it is amply corroborated by a credible witness. For alibi to prosper, the accused must be able to (a) prove his presence at another place at the time of the perpetration of the offense and (b) demonstrate that it was physically impossible for him at that time to have been at the scene of the crime.<sup>56</sup> (Citations omitted)

Applying these guidelines, accused-appellant's alibi deserves scant consideration. First, aside from his bare testimony, no one else corroborated the alibi proffered by accused-appellant. This Court notes that the supposed neighbor, whom accused-appellant claims was with him on that day,<sup>57</sup> was never named in his testimony, much less presented. Moreover, even assuming

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<sup>51</sup> TSN, June 2, 2015, p. 4.

<sup>52</sup> *Id.* at 5.

<sup>53</sup> TSN, October 1, 2015, p. 3.

<sup>54</sup> *Id.* at 3-4.

<sup>55</sup> 432 Phil. 590 (2002).

<sup>56</sup> *Id.* at 608.

<sup>57</sup> TSN, October 1, 2015, p. 3.

that he was indeed in his house, the fact that it was only two to three kilometers away still did not make it impossible for him to have been at the scene of the crime.

It is settled that alibi “cannot prevail over the positive identification made by credible witnesses. Absent any plausible imputation of ill motive on their part to falsely accuse or implicate him, their candid and consistent testimonies should be given full faith and credit.”<sup>58</sup>

Here, accused-appellant’s own brother, Moreno, testified that on the day in question, accused-appellant was in his house in Gumhang, Tinoc, Ifugao, placing him at the scene of the crime and, in fact, he saw accused-appellant attack the victim Rita in his house, and even tried to attack Moreno himself.<sup>59</sup> Moreover, PO2 Puguon categorically testified that he, together with PO1 Dulawan, arrested accused-appellant who was still inside Moreno’s house in Gumhang, Tinoc, Ifugao, after they received information that the victim Rita was being maltreated by accused-appellant, and even brought him from the said location to the Tinoc Municipal Police Station.<sup>60</sup> Notably, accused-appellant admitted during his testimony that there is no possible motive for both of these witnesses to testify against him.<sup>61</sup> Hence, accused-appellant’s alibi cannot prevail.

With the foregoing, this Court affirms the conviction of accused-appellant for the crime of parricide and the imposition of the penalty of *reclusion perpetua*, as no aggravating or mitigating circumstances were proven.

In accordance with *People v. Jugueta*,<sup>62</sup> this Court modifies the awards of civil indemnity, moral damages, and exemplary damages to ₱75,000.00 each. Further, temperate damages in the amount of ₱50,000.00 should be awarded “when no documentary evidence of burial or funeral expenses is presented in court,”<sup>63</sup> as in the present case. Further, legal interest at the rate of 6% *per annum* is imposed on all the monetary awards.<sup>64</sup>

**FOR THESE REASONS**, the instant appeal is **DISMISSED**. The Decision dated September 27, 2018 of the Court of Appeals in CA-G.R. CR-HC No. 08577 is **AFFIRMED with MODIFICATION**. Accused-appellant Julio P. Bahyon is **GUILTY** beyond reasonable doubt of the crime of parricide. Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua* and **ORDERED** to **PAY** the heirs of Rita D. Bahyon the following:

<sup>58</sup> *People v. Domingo*, *supra* note 55, at 609.

<sup>59</sup> TSN, March 6, 2014, pp. 5–6.

<sup>60</sup> TSN, October 9, 2014, p. 4; Joint-Affidavit of Arrest dated July 23, 2013, Exhibit “D,” records, p. 7.

<sup>61</sup> TSN, October 1, 2015, pp. 4–5.

<sup>62</sup> 783 Phil. 806, 847–848 (2016).

<sup>63</sup> *Id.* at 853.

<sup>64</sup> *People v. Lagman*, 685 Phil. 733, 750 (2012).

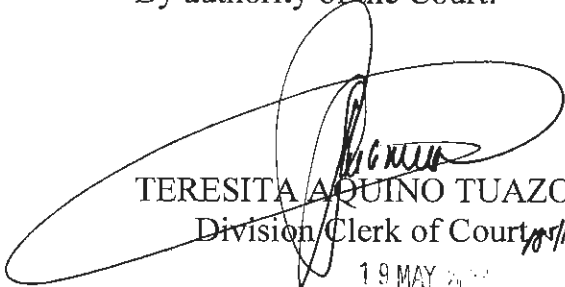


(a) PHP 75,000.00 as civil indemnity; (b) PHP 75,000.00 as moral damages; (c) PHP 75,000.00 as exemplary damages; and (d) PHP 50,000.00 as temperate damages.

In line with current jurisprudence,<sup>65</sup> legal interest at the rate of 6% *per annum* is imposed on all damages awarded from the date of the finality of this Resolution until fully paid.

**SO ORDERED.”**

By authority of the Court:

  
 TERESITA AQUINO TUAZON  
 Division Clerk of Court  
 19 MAY 2022

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 (Crim. Case No. 2190)

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\*with a copy of the CA Decision dated September 27, 2018  
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<sup>65</sup> *Id.*