THIRD DIVISION

[G.R. No. 270476. August 13, 2025]

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. CORNELIO MARIANO *Y* HIPOLITO, ACCUSED-APPELLANT.

D E C I S I O N

GAERLAN, J.:

This is an Appeal[1] from the Decision[2] dated April 27, 2023 of the Court of Appeals (CA), in CA-G.R. CR-HC No. 15287, affirming with modification the November 24, 2020 Decision[3] of Branch XI of the Regional Trial Court (RTC) of Pata, Tuao, Cagayan in Criminal Case No. 1362-T, which convicted accused-appellant Cornelio Mariano *y* Hipolito (Mariano) of the crime of murder and imposed on him the penalty of *reclusion perpetua*.

Factual Antecedents

Mariano was charged with the crime of murder under Article 248 of the Revised Penal Code. The accusatory portion of the Information dated February 2, 2010 reads as follows:

> That on or about June 21, 2009 in the municipality of Sto. Niño, province of Cagayan, and within the jurisdiction of the Honorable Court, the said accused CORNELIO MARIANO *Y* HIPOLITO ALIAS CURNING armed with a sharp pointed [bladed] instrument, with intent to kill, treachery and abuse of superior strength, did then and there, willfully, unlawfully and feloniously attack, assault and stab several times JANICE MARIE M. GOZE, a minor 17 years of age, thereby inflicting upon her several stab wounds on the different parts of her body which caused her death.
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> Contrary to Law.[4]

Mariano entered a plea of "not guilty" during his arraignment. Thereafter, the parties stipulated on the following: (1) that the victim, Janice Marie M. Goze (Janice), was found dead on June 25, 2009; (2) that at the time of her death, Janice was 17 years old; and (3) that the body of Janice was recovered at the boundary of Niug Sur and Lattac, Sto. Niño, Cagayan.

After completion of pre-trial, trial on the merits ensued.[5]

Version of the Prosecution

The prosecution presented five witnesses, namely: (1) Pedro Goze, the victim's father; (2) Barangay Kagawad Orlando Tolentino; (3) Barangay Captain Jaime Corpuz (Brgy. Capt. Corpuz); (4) Florentino Adriano; and (5) Dr. Ethel P. Simeon (Dr. Simeon).[6] As summarized by the CA, the combined testimonies of the prosecution's witnesses tended to prove the following:

> In the morning of 21 June 2009, Pedro was at their house in Lattac, Sto. Niño, Cagayan, together with his wife, Anita, their children, Jordan, Mary Jane and the victim Janice, as well as Mariano, Anita's cousin. Mariano had been staying with them for about four (4) months.
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> At around 11:00 a.m. Janice left the house to head for Tuguegarao City, where she attended school at Vargas College. She was carrying a bag of her clothes, a paper bag containing items which she was asked to bring to Tuguegarao City, and Two Thousand Seven Hundred Pesos ([PHP] 2,700.00) in cash – Two Thousand Pesos ([PHP] 2,000.00) of which was her allowance, and Seven Hundred Pesos ([PHP] 700.00) of which she was asked to deliver to someone in Tuguegarao. Janice went to the riverbank to take a boat going to Tuguegarao City. Ten minutes later, Mariano likewise left their house wearing a black t-shirt with markings and corduroy pants.
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> The next day, or on 22 June 2009. Me-an Urie, a friend of Janice at Lattac, Sto. Niño, received a text message from a board mate of Janice, informing that the latter did not arrive in Tuguegarao City. Me-an Urie relayed the said information to the family of Janice.
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> Upon learning that Janice never reached Tuguegarao City, Pedro and Anita went to Tuguegarao City to look for Janice. They checked her boarding house and the place of her boyfriend. When they did not find Janice, they filed a report for a missing person before the police station. They also went to Aparri, Cagayan upon learning that a cadaver was found but the search was unsuccessful.
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> On the fourth day of their search. Pedro received a text message from his brothers-in-law Eddie Mariano and Itong Cusili, informing him that the police recovered the body of Janice near the river in the talahib area. Thereafter, they went to the Ortiz Funeral Parlor at Piat, Cagayan where the body was brought. From the funeral parlor, they brought home the body of Janice for her wake at their house. For Janice's wake and burial, Pedro incurred expenses in the amount of Forty Thousand Pesos ([PHP] 40,000.00).
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> Dr. Simeon, Municipal Health Office of Sto. Niño, Cagayan, conducted the post-mortem examination on Janice's body on 25 June 2009. She ruled that

Janice's cause of death was pneumothorax secondary to multiple penetrating wounds. Her *Post Mortem Findings* revealed the following:

> "*Wound, 2.5 cm located at the nipple area, right anterior chest, penetrating*
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> *Wound, 2 cm located 2 cm below the left nipple and 10 cm from the midline left, anterior chest, penetrating:*
>
> *Wound, 2 cm located at the lateral side of the sternum 1 cm from the midline and 3 cm below the nipple, left anterior chest, penetrating:*
>
> *Wound, 2 cm located at 25 cm below the nipple and 17 cm from the midline, left anterior axillary line, anterior abdomen, penetrating*
>
> *Cause of Death: Hemo-pneumothorax secondary to multiple penetrating chest wounds.*"

Meanwhile, in the evening of 21 June 2009, Adriano, sleeping in his house in Lattac, Sto. Niño, Cagayan, was awakened by Mariano to borrow some clothes. Mariano was then in his underwear only. Since they were relatives, Adriano lent Mariano his clothes. Pedro noticed that evening that Mariano was in his yard wearing a green t-shirt, different from the one he wore in the morning when he left.

Mariano did not return to Pedro's house during the wake of Janice, but opted to stay in the house of their neighbor. On the night of Janice's wake, Kagawad Tolentino noticed that Mariano was uneasy. He also saw that Mariano had scratches on his forearm.

On 26 June 2009, while Brgy. Capt. Corpuz was on board a *kuliglig* on his way to the barangay council session, Mariano, accompanied by his brother, Mardo Mariano (Mardo), flagged him down. Mardo asked for his help in bringing his brother to the police station because he was the suspect in the killing of Janice. The trio went on board the *kuliglig* and proceeded to the police station. *En route*, Mariano told Brgy. Capt. Corpuz: *"Pakawanun nak iti inararamid ko*." (Kap, forgive me for what I have done). Brgy. Capt. Corpuz then turned over Mariano to the police. Mariano was detained at the PNP Sto. Niño Police Station after he voluntarily surrendered to the police.

On 1 July 2009, Gilbert Ballesteros accompanied by another barangay kagawad, reported to Kagawad Tolentino that he found some clothings in his cornfield in Lattac, Niug Sur. Kagawad Tolentino relayed the discovery to Brgy. Capt. Corpuz. Following the instructions of Brgy. Capt. Corpuz, the kagawads and tanod members went to the cornfield to retrieve the reported clothings. There, they recovered a black t-shirt. Kagawad Tolentino

> recognized the shirt as belonging to Mariano, having seen Mariano wear it often, particularly the night before and during the wedding celebration of the Adriano family in June 2009. They placed the t-shirt in a plastic bag and returned to Brgy. Capt. Corpuz, who then submitted the item to the police station.[7] (Italics in the original)

Version of the Defense

The defense presented the lone testimony of Mariano. As summarized by the CA, Mariano gave the following version of events:

> On 20 June 2009, Mariano attended the wedding of his nephew, which was 200 meters away from the house of Pedro. At around 11:00 p.m., he proceeded to the house of Randy Campo (Randy), where he spent the night. The next morning, Mariano woke up at around 6:00 a.m., and had coffee with Randy and his mother. At around 10:00 a.m., on his way to the house of his uncle, Ciriaco Mariano (Ciriaco), Pedro invited him to eat at their house. He ate with Pedro's family, including Janice. At around 10:30 a.m., he proceeded to the house of Ciriaco to cook food. In the afternoon of the same day, Mariano did his usual task of feeding the pigs and tending to the carabaos. As night, Pedro called him to have some drinks with Jay-jay Mariano and Jordan Goze. After having drinks, Mariano asked for Pedro's permission to sleep below their house and the latter agreed.
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> The next morning, Pedro and Anita asked Mariano to accompany them to Buguey, Cagayan to look for their daughter, Janice, to which Mariano acceded. On 23 June 2009, Pedro asked Mariano to apply fertilizer in his crops while Pedro went to Tuguegarao City.
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> Mariano only learned of Janice's death on 25 June 2009, when her body was found and brought home by their relatives. He helped prepare the place for the wake. He was surprised to learn later that one of their neighbors, Kagawad Tolentino, suspected him as the one who killed Janice.
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> On 26 June 2009, Police Officer Rosendo Ruiz, Jr. through Mariano's brother, Mardo, invited Mariano to go to the Sto. Niño Police Station. Thereafter, by coincidence, he and Mardo rode with Brgy. Capt. Corpuz, who accompanied them in proceeding to the police station. Thereat, Mariano was detained immediately. He was only informed of the charges against him on 3 July 2009.[8]

Ruling of the Regional Trial Court

On November 24, 2020, the RTC rendered its Decision, finding Mariano guilty beyond reasonable doubt of the crime of murder:

> WHEREFORE, in view of all the foregoing, accused CORNELIO MARIANO *y* HIPOLITO is found GUILTY of the crime charged beyond reasonable doubt and he is hereby meted the penalty of RECLUSION PERPETUA. In addition, he is ordered to pay the heirs of victim JANICE MARIE M. GOZE [PHP] 40,000.00 as actual or compensatory damages, [PHP] 75,000.00 as civil indemnity ex delicto, [PHP] 75,000.00 as moral damages, and [PHP] 30,000.00 as exemplary damages.
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> SO ORDERED.[9]

In convicting Mariano, the RTC considered the following circumstantial evidence in concluding that Mariano was the perpetrator of the killing of Janice: (1) on June 21, 2009, he wore a black t-shirt with markings; (2) the same shirt was retrieved at the cornfield of Gilbert Ballesteros (Ballesteros), about 100 meters away from the place where the body of Janice was recovered; (3) Mariano, with only his brief on, woke up Adriano in the evening of June 21, 2009 to borrow clothes, (4) with the assistance of his brother, he voluntarily surrendered to Brgy. Capt. Corpuz, who accompanied them to the police station; and (5) he asked forgiveness from Brgy. Capt. Corpuz for what he had done.[10]

Likewise, the RTC held that at the time of the incident, Mariano was 30 years old and was armed with a bladed weapon. Accordingly, the RTC ruled that Janice's killing was attended and qualified by abuse of superior strength.[11]

Finally, the RTC declared that Mariano's defense of denial is inconsistent and unworthy of belief.[12]

Ruling of the Court of Appeals

Aggrieved, Mariano appealed his conviction to the CA. In his Appellant's Brief[13] dated February 23, 2022, Mariano mainly argued that the RTC erred in finding that his guilt was proven beyond reasonable doubt because the prosecution failed to present any eye witness, and the circumstantial evidence against him is insufficient.[14]

On April 27, 2023, the CA rendered its Decision, sustaining Mariano's conviction, to wit:

> **WHEREFORE**, the Appeal is **DENIED**. The 24 November 2020 Decision of the Regional Trial Court of Pata, Tuao, Cagayan, Branch XI in Criminal Case No. 1362-T is **AFFIRMED** with **MODIFICATION** in that the accused-appellant Cornelio Mariano *y* Hipolito is **ORDERED** to pay the heirs of Janice Marie M. Goze the amounts of [PHP] 75,000.00 as civil indemnity, [PHP] 75,000.00 as moral damages, [PHP] 75,000.00 as exemplary damages, and [PHP] 50,000.00 as temperate damages.
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> All monetary awards are subject to six percent (6%) interest from finality of

this decision until fully paid.

SO ORDERED.[15] (Emphasis in the original)

The CA concurred with the findings of the RTC that the factual circumstances of the case demonstrate that Mariano is the perpetrator of the killing of Janice. The CA, likewise, agreed with the RTC that the killing was attended by abuse of superior strength.[16] Nevertheless, the CA resolved to modify the indemnities awarded to conform with prevailing jurisprudence. In addition, as regards the award for actual damages, the CA explained that the prosecution failed to show documentary evidence to support its claim that Janice's family spent PHP 40,000.00 as burial expenses. Hence, the CA, instead, awarded temperate damages in the amount of PHP 50,000.00.[17]

The Instant Appeal

Unfazed by the adverse ruling of the CA, Mariano filed the instant Appeal,[18] pleading anew for his acquittal.

Issue

The core issue to be resolved by the Court is whether Mariano is guilty beyond reasonable doubt of the crime of murder as defined and penalized under Article 248 of the Revised Penal Code.

The Ruling of the Court

The Appeal is *meritorious*.

Article 248 of the Revised Penal Code provides:

> Article 248. *Murder*. – Any person who, not falling within the provisions of Article 246 shall kill another, shall be guilty of murder and shall be punished by reclusion perpetua to death if committed with any of the following attendant circumstances:
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> 1. With treachery, taking advantage of superior strength, with the aid of armed men, or employing means to weaken the defense or of means or persons to insure or afford impunity.
>
> 2. In consideration of a price, reward, or promise.
>
> 3. By means of inundation, fire, poison, explosion, shipwreck, stranding of a vessel, derailment or assault upon a street car or locomotive, fall of an airship, by means of motor vehicles, or with the use of any other means involving great waste and ruin.
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> 4. On occasion of any of the calamities enumerated in the preceding

paragraph, or of an earthquake, eruption of a volcano, destructive cyclone, epidemic or other public calamity.

5. With evident premeditation.

6. With cruelty, by deliberately and inhumanly augmenting the suffering of the victim, or outraging or scoffing at his person or corpse.

In *People v. Manansala*,[19] this Court enumerated the elements of the crime of murder that must be established beyond reasonable doubt, namely: (1) a person was killed; (2) the accused killed him; (3) the killing was attended by any of the qualifying circumstances mentioned in Article 248; and (4) the killing is not parricide or infanticide.[20]

In this case, the RTC and the CA uniformly found that all the elements of the crime of murder were sufficiently established by the prosecution. Notably, Mariano's conviction was based, not on direct evidence, but on circumstantial evidence.

In *People v. Juada*,[21] the Court explained that criminal convictions are not always based on direct evidence. In fact, in *People v. Lignes*,[22] the Court elucidated that direct evidence is not the sole means of establishing guilt beyond reasonable doubt because circumstantial evidence may be sufficient to support a conviction:

> However, direct evidence is not the only matrix wherefrom a trial court may draw its conclusion and finding of guilt. It is a settled rule that circumstantial evidence is sufficient to support a conviction, and that direct evidence is not always necessary. This Court has recognized the reality that in certain cases, due to the inherent attempt to conceal a crime, it is not always possible to obtain direct evidence.
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> The lack or absence of direct evidence does not necessarily mean that the guilt of the accused cannot be proved by evidence other than direct evidence. Direct evidence is not the sole means of establishing guilt beyond reasonable doubt, because circumstantial evidence, if sufficient, can supplant the absence of direct evidence. The crime charged may also be proved by circumstantial evidence, sometimes referred to as indirect or presumptive evidence. Circumstantial evidence has been defined as that which "goes to prove a fact or series of facts other than the facts in issue, which, if proved, may tend by inference to establish a fact in issue."[23] (Underscoring supplied; citation omitted)

Moreover, in *People v. Juare*,[24] the Court declared that:

> It is well-settled that in the absence of direct evidence, the courts could resort to circumstantial evidence to avoid setting felons free and deny proper protection to the community. Circumstantial evidence consists of

> proof of collateral facts and circumstances from which the main fact in issue may be inferred based on reason and common experience. An accused may be convicted on the basis of circumstantial evidence, provided the proven circumstances constitute an unbroken chain leading to one fair reasonable conclusion pointing to the accused, to the exclusion of all others, as the guilty person. It is akin to a tapestry made up of strands which create a pattern when interwoven.[25] (Underscoring supplied; citations omitted)

Significantly, that circumstantial evidence may establish guilt beyond reasonable doubt under certain circumstances also finds support in Rule 133, Section 4 of the Rules of Court, which provides:

> Section 4. *Circumstantial evidence, when sufficient* — Circumstantial evidence is sufficient for conviction if:
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> (a) There is more than one circumstance;
>
> (b) The facts from which the inferences are derived are proven; and
>
> (c) The combination of all the circumstances is such as to produce a conviction beyond reasonable doubt.
>
> Inferences cannot be based on other inferences.

In this case, it is worthy to recall that the following circumstances served as basis for the RTC and the CA to convict Mariano: (1) in the morning of June 21, 2009, Mariano was seen wearing a black t-shirt with markings; (2) a black shirt with markings was retrieved at the cornfield of Ballesteros, near the place where the body of Janice was recovered; (3) Mariano, wearing only his underwear, woke up Adriano in the evening of June 21, 2009 to borrow clothes; (4) Mariano, together with his brother, proceeded to the police station; and (5) while *en route* to the police station, Mariano asked forgiveness from Brgy. Capt. Corpuz for what he had done. In addition, the RTC and the CA also considered the findings of Dr. Simeon who found that Janice sustained multiple stab wounds in her chest area.

Taking together all these circumstances, the Court is *unconvinced* that there is an unbroken chain of events leading to a reasonable conclusion that Mariano is guilty of the crime charged. To the Court's mind, the circumstantial evidence relied upon by both the RTC and the CA engenders doubt, rather than moral certainty of Mariano's guilt.

First, there is no evidence showing that Mariano is the owner of the black t-shirt recovered near the area where the body of Janice was discovered. While the black t-shirt supposedly contained "markings," no explanation was given as to what kind of "markings" the t-shirt had. There was, likewise, no testimony revealing that the t-shirt held any of Mariano's DNA. In fact, there was also no testimony stating that the t-shirt was bloodied. In other words, the black t-shirt itself had no indication that it was involved, in any way, in any crime, much less a murder.

Second, the fact that Mariano was seen only in his underwear when he borrowed clothes cannot give rise to the presumption that he was involved in a murder. There could be several other explanations as to Mariano's actuations during the night of June 21, 2009. Further, when Mariano borrowed clothes, he was only wearing his briefs; however, only a black t-shirt was recovered in the cornfield. No testimony was presented during trial to answer where Mariano's pants could be.

Third, when Mariano proceeded to the police station and asked for forgiveness from Brgy. Capt. Corpuz, Mariano did not confess to committing any crime. His statement was vague and ambiguous at best.

Fourth, there is no evidence regarding the weapon used to kill Janice. It was not found nor recovered by the police. Hence, it cannot be presumed that the weapon belonged to Mariano.

It is doctrinally settled that in criminal cases, a conviction must rest on the strength of the prosecution's evidence.[26] It cannot be based on conjectures or speculations.[27] In this case, however, the Court finds that the prosecution's evidence is weak and insufficient to sustain a conviction for murder. At best, the circumstantial evidence presented merely arouses suspicion, or gives rise for conjecture. More, the events that transpired in this case cannot discredit the possibility that another person or persons could have committed the killing of Janice, considering that, as borne by the records, no independent physical evidence could connect Mariano to the crime.

In conclusion, because reasonable doubt exists as to the Mariano's guilt, he must be acquitted. Time and again, the Court has upheld that every accused is presumed innocent until the contrary is proven.[28] This presumption is guaranteed by the Bill of Rights. "The contrary requires proof beyond reasonable doubt, or that degree of proof that produces conviction in an unprejudiced mind. Short of this, it is not only the right of the accused to be freed; it is even the constitutional duty of the Court to acquit him." [29]

ACCORDINGLY, the Appeal is **GRANTED**. The Decision dated April 27, 2023 of the Court of Appeals, in CA-G.R. CR-HC No. 15287 is **REVERSED** and **SET ASIDE**. Accused-appellant Cornelio Mariano *y* Hipolito is **ACQUITTED** on reasonable doubt of the crime of Murder.

The Director General of the Bureau of Corrections is directed to: (a) cause his immediate release, unless he is being lawfully held for another cause; and (b) inform the Court of the date of his release, or the reason for his continued confinement as the case may be, within five days from receipt of this Decision.

Let entry of judgment be **ISSUED** immediately.

SO ORDERED.

Caguioa (Chairperson), Inting, and *Dimaampao, JJ.,* concur.

Singh,[*] *J.,* on leave.

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[*] On leave.

[1] *Rollo*, pp. 3-5.

[2] *Id*. at 9-31. Penned by Associate Justice Raymond Reynold R. Lauigan and concurred in by Associate Justices Remedios A. Salazar-Fernando and Pablito Perez of the First Division of the Court of Appeals, Manila.

[3] CA *rollo*, pp. 48-55.

[4] *Rollo*, p. 10.

[5] *Id*.

[6] *Id*. at 10-11.

[7] *Id*. at 11-14.

[8] *Id*. at 14-15.

[9] *Id*. at 16.

[10] *Id*.

[11] *Id*. at 16-17.

[12] *Id*. at 16.

[13] CA *rollo*, pp. 20-46.

[14] *Id*. at 27-36.

[15] *Rollo*, pp. 29-30.

[16] *Id*. at 23-27.

[17] *Id*. at 28-29.

[18] *Id*. at 3-5.

[19] 881 Phil. 261 (2020) [Per J. Hernando, Second Division].

[20] *Id*. at 273.

[21] 914 Phil. 587 (2021) [Per J. M. Lopez, First Division].

[22] 874 Phil. 530 (2020) [Per C.J. Peralta, First Division].

[23] *Id*. at 539-540.

[24] 874 Phil. 850 (2020) [Per J. Inting, Second Division].

[25] *Id*. at 868-869.

[26] **People v. Ansano**, 891 Phil. 360, 366 (2020) [Per J. Caguioa, First Division]; **People v. Lumikid**, 875 Phil. 467, 486-487 (2020) [Per C.J. Peralta, First Division]; **XXX v. People**, 887 Phil. 161, 170-171 (2020) [Per J. Delos Santos, Second Division].

[27] *See* **Arriola v. People**, 785 Phil. 895, 909 (2016) [Per J. Mendoza, Second Division]; *see also* **Arce v. People**, 429 Phil. 328, 334 (2002) [Per J. Ynares-Santiago, First Division].

[28] **People v. Malinas**, 928 Phil. 62, 84 (2022) [Per C.J. Gesmundo, First Division]; **People v. Ansano**, 891 Phil. 360, 366 (2020) [Per J. Caguioa, First Division]; **People v. Belmonte**, 835 Phil. 719, 747 (2018) [Per J. Martires, Third Division].

[29] **People v. Pangan**, 795 Phil. 779, 793 (2016) [Per J. Perez, Third Division].

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