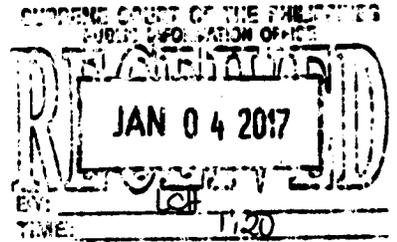




Republic of the Philippines
Supreme Court
 Manila



FIRST DIVISION

PEOPLE OF THE PHILIPPINES,
 Plaintiff-Appellee,

G.R. No. 216064

Present:

- versus -

SERENO, C.J., Chairperson,
 LEONARDO-DE CASTRO,
 BERSAMIN,
 PERLAS-BERNABE, and
 CAGUIOA, JJ.

ANTONIO DACANAY y
TUMALABCAB,
 Accused-Appellant.

Promulgated:

NOV 07 2016

X-----X

DECISION

CAGUIOA, J.:

This is an Appeal¹ filed under Section 13(c), Rule 124 of the Rules of Court from the Decision dated April 2, 2014² (questioned Decision) of the Court of Appeals, Tenth (10th) Division (CA), in CA-G.R. CR-HC No. 05083, which affirmed the Judgment dated June 21, 2011³ of the Regional Trial Court of Manila, Branch 7 (RTC), in Criminal Case No. 07-257131.

In an Information filed with the RTC, accused-appellant Antonio⁴ T. Dacanay (Antonio) was charged with the crime of Parricide under Article 246 of the Revised Penal Code (RPC), as amended,⁵ the accusatory portion of which reads:

That on or about October 06, 2007, in the City of Manila, Philippines, the said accused, with intent to kill, did then and there

¹ *Rollo*, pp. 16-18.

² *Id.* at 2-15. Penned by Associate Justice Eduardo B. Peralta, Jr., with Associate Justices Magdangal M. De Leon and Stephen C. Cruz concurring.

³ *CA rollo*, pp. 19-30. Penned by Presiding Judge Ma. Theresa Dolores C. Gomez-Estoesta.

⁴ Also referred to as Anthony in the CA Decision.

⁵ ART. 246. *Parricide*. – Any person who shall kill his father, mother, or child, whether legitimate or illegitimate, or any of his ascendants, or descendants, or his spouse, shall be guilty of parricide and shall be punished by the penalty of *reclusion perpetua* to death.

willfully, unlawfully and feloniously attack, assault and use personal violence upon the person of one NORMA DACANAY y ERO, his wife, by then and there stabbing her body with an ice pick several times, thereby inflicting upon her mortal stab wounds which were the direct and immediate cause of her death thereafter.

Contrary to law.⁶

The antecedent facts, as summarized by the RTC and affirmed by the CA, follow.

On October 6, 2007, Norma E. Dacanay (Norma), the wife of Antonio, was found lifeless with several puncture wounds on the bathroom floor of their home by their son, Quinn, who was then coming home from school.⁷ Quinn likewise observed that the rest of the house was in disarray, with the clothes and things of Norma scattered on the floor, as if suggesting that a robbery had just taken place.⁸ At that time, Antonio had already left for work after having allegedly left the house at around six in the morning.⁹

Quinn then rushed to the house of his aunt, one Beth Bautista, to tell her about the fate of Norma, and then proceeded to the workplace of Antonio,¹⁰ which was only ten (10) minutes away from their house.¹¹ Thereafter, both Quinn and Antonio proceeded back to their house and were met by some police officers who were then already conducting an investigation on the incident.¹²

Antonio was then interviewed by PO3 Jay Santos (PO3 Santos), during which interview, Antonio informed PO3 Santos that One Hundred Thousand Pesos (₱100,000.00) in cash and pieces of jewelry were missing.¹³ Antonio alluded to a certain "Miller" as an alleged "lover" of Norma who may have perpetrated the crime.¹⁴ However, after further investigation, the identity of "Miller" was never ascertained, as none of Norma's friends knew of any such person.¹⁵

After PO3 Santos's inspection of the crime scene, Antonio was invited to the precinct to formalize his statement, to which the latter declined, as he still had to take care of the funeral arrangements of Norma.¹⁶ While Antonio promised to proceed to the police station on the following day, he never made good on such promise.¹⁷

⁶ CA rollo, p. 19.

⁷ Rollo, pp. 3, 4.

⁸ Id.

⁹ Id. at 6.

¹⁰ Id. at 3; CA rollo, p. 20.

¹¹ Id. at 7.

¹² Id. at 3.

¹³ Id. at 4.

¹⁴ Id.

¹⁵ Id.

¹⁶ Id.

¹⁷ Id.

On October 8, 2007, PO3 Santos went to Antonio's workplace at PHIMCO Industries, Inc. (PHIMCO) in Punta, Sta. Ana, Manila, to once again invite Antonio to the precinct.¹⁸ Antonio acceded to such request and, after fetching Quinn from school, they all proceeded to the police station.¹⁹ When they arrived at the precinct, Barangay Kagawad Antonio I. Nastor, Jr. and some members of the media were present.²⁰

While at the precinct, Barangay Kagawad Antonio I. Nastor, Jr. informed PO3 Santos that Antonio was already willing to confess to killing Norma.²¹ Accordingly, PO3 Santos proceeded to contact a lawyer from the Public Attorney's Office.²² In the meantime, PO3 Santos apprised Antonio of his constitutional rights, including the right to remain silent.²³ However, as determined by both the RTC and the CA, despite having been apprised of his rights, Antonio nonetheless confessed to the crime before the media representatives, who separately interviewed him without PO3 Santos, viz:

Per [Antonio]'s account, around 4:00 in the morning, he and his wife had a fight pertaining to the unaccounted amount of ₱100,000.00. With extreme anger, he stabbed his wife several times. Thereafter, he threw all the pieces of evidence to the river. [Antonio] further declared that he set up the first floor of their house by placing a pitcher of juice, a half-empty glass of juice and cigarette on top of the table, to make it appear that someone else went to their house and robbed the place. He also confessed that he took the missing pieces of jewelry and placed them inside his locker at PHIMCO. He allegedly admitted the killing of his wife as his conscience has been bothering him. x x x²⁴

Insofar as accused's confession was heard, media men Nestor Etolle from the Philippine Star and Jun Adsuara from Tanod (Bantay ng Bayan) alleged, in the same tenor, that when it was reported that the case has (*sic*) been solved, they each went, at different time intervals, to the detention cell of the Manila Police District to interview the suspect. Accused, however, remained consistent in admitting that he was the one who killed his wife x x x. He was alleged to have said that he has been bothered by his conscience that was why he admitted to the killing. x x x²⁵ (Citations omitted)

Notably, the reporters, Jun Adsuara and Nestor Etolle, were presented by the prosecution during trial, wherein both testified that Antonio voluntarily admitted his complicity in the crime without any intimidation or coercion exerted on his person.²⁶ As a result of the interview, a news article entitled "*Mister timbog sa pagpatay sa asawa*" was published in the October 10, 2007 issue of *Tanod Diyaryo Bayan*.²⁷

¹⁸ Id. at 5.

¹⁹ Id.

²⁰ Id.

²¹ RTC Decision dated June 21, 2011, p. 3; CA *rollo*, p. 21.

²² CA Decision dated April 2, 2014, p. 4; *rollo*, p. 5.

²³ Appellant's Brief dated March 20, 2012, p. 7; CA *rollo*, p. 84.

²⁴ CA Decision dated April 2, 2014, p. 4; *rollo*, p. 5.

²⁵ RTC Decision dated June 21, 2011, pp. 3-4; CA *rollo*, pp. 21-22.

²⁶ Id. at 8-9; id. at 26-27.

²⁷ *Rollo*, p. 6.

Moreover, it was later confirmed by PO3 Santos during a follow-up operation that the missing jewelry (*e.g.*, a pair of gold earrings, a necklace with a cross pendant, a necklace with an oval pendant) were indeed stored in Antonio's locker at PHIMCO, consistent with the latter's extrajudicial confession before the press.²⁸ Likewise, based on a medico-legal report prepared by Dr. Romeo Tagala Salen of the Manila Police District, the cause of Norma's death was due to multiple puncture wounds on the body, and that the weapon used could have been a round instrument (*e.g.*, an ice pick).²⁹

For his defense, as summarized by the RTC, Antonio interposed the twin defenses of alibi and denial, claiming coercion and intimidation on the part of the police officers involved in the investigation of the crime, to wit:

At the police station, accused was subjected to investigation. His son was directed to stay far from where he was positioned. Moments later, accused felt that the investigating police were not satisfied with his answer for which reason he was isolated in another room. There were at least three (3) policemen. He also saw PO2 Jaime Gonzales, being the companion of PO3 Jay Santos during the time of his arrest. It was at this instance where he was boxed on the side as they cursed him and pointed a gun at him. The police wanted him to admit that he was the one who killed his wife. Accused felt that he was shaking all over. Accused was then moved back to where his son was confined. He saw the policemen strip his son of his clothes as son cried, "*Papa, help me!*" His son was then brought to the same room where he was earlier isolated x x x. Accused could only beg, "*Maawa kayo sa amin! Ako na lang ang saktan n'yo, huwag na lang anak ko*" x x x.

x x x x

Accused thereafter denied having talked to a kagawad about being responsible for the killing of his wife. He insisted that he was detained for a crime he did not commit. He alluded that he was transferred to a place in V. Mapa, Sta. Mesa, at around mid-morning in a service vehicle where his arresting officers were wearing civilian clothes. He was asked if he had money. Since he claimed not to have any, he heard the police say, "*nag-aaksaya lang tayo ng panahon dito*" x x x.

It was then that accused was again transferred, this time, to PHIMCO premises. His handcuff was removed by PO2 Jaime Gonzales. Accused asked the guard for permission to enter. Accused was asked to lead them to the production area where he worked and showed them the chemicals he used for mixing x x x. Accused next denied that jewelries (*sic*) were retrieved from his locker at PHIMCO. He alleged, however, that he was shown jewelries (*sic*) which were taken from the pocket of PO2 Jaime Gonzales but he averred that he did not recognize them. However, he was directed to place his hand in his locker where a photo was taken x x x. They went back to the police headquarters and was warned to keep mum about their trip to Quintos. He was also warned that media people will be taking his video x x x.

²⁸ CA rollo, p. 21.

²⁹ Id. at 85.

Accused drifted to sleep but as soon as he woke up, he was told that he will be interviewed by the media. He remembered answering their questions but denied having given any detail about the killing of his wife x x x. The policemen behind him struck him in the head and admonished him why he was not answering. He was asked by PO3 Jay Santos to sign a paper until PO3 Santos himself withdrew it x x x.

Later, he was subjected to inquest proceedings. He chose not to tell the investigating prosecutor of his ordeal since he did not want a repeat of his experience at the police precinct. He alleged that he felt afraid since PO3 Santos threatened him and poked a gun at him x x x.

Accused denied having killed his wife, alleging that she was alive the morning he left for work x x x. He alluded to the fact that his wife was engaged in lending money, proof of which was a blue ledger she always kept for accounting x x x.³⁰ (Citations omitted)

Upon arraignment, Antonio entered a plea of not guilty to the crime charged.³¹ Trial on the merits then ensued and by Order dated April 5, 2011 of the RTC, the case was submitted for judgment.³²

Ruling of the RTC

In its Judgment dated June 21, 2011,³³ the RTC gave weight to the extrajudicial confession of Antonio and found him guilty of the crime of Parricide, the dispositive portion of which stated:

WHEREFORE, for the death of his wife, Norma Dacanay y Ero, this Court finds accused **ANTONIO DACANAY y TUMALABCAB** **GUILTY** beyond reasonable doubt of the crime of *Parricide* defined and penalized under Article 246 of the Revised Penal Code and is hereby imposed the penalty of *reclusion perpetua*.

The preventive imprisonment already served by the accused shall be **CREDITED** to the service of his sentence pursuant to Article 29 of the same Code, as amended.

SO ORDERED.³⁴

Aggrieved, Antonio timely filed a Notice of Appeal dated June 30, 2011,³⁵ elevating the case to the CA.

Ruling of the CA

In the questioned Decision, the CA affirmed the RTC *in toto* and dismissed the appeal for lack of merit, on the ground that Antonio failed to

³⁰ RTC Decision dated June 21, 2011, pp. 6-7; CA *rollo*, pp. 24-25.

³¹ Id. at 81.

³² Id. at 51.

³³ Supra note 3.

³⁴ Id. at 29.

³⁵ Id. at 57.

overcome the presumption of voluntariness attended by his extrajudicial confession, as follows:

WHEREFORE, premises considered, the instant **APPEAL** is hereby **DISMISSED** for **LACK OF MERIT** and the Judgment dated June 21, 2011 rendered by the Regional Trial Court, Branch 7, Manila in Criminal Case No. 07-257131 is hereby **AFFIRMED**.

SO ORDERED.³⁶

On April 24, 2014, Antonio filed a Notice of Appeal of even date with the CA.³⁷ Hence, the instant Appeal.

In a Resolution dated March 23, 2015,³⁸ the Court instructed the parties to file their respective Supplemental briefs, if they so desired. In lieu of Supplemental Briefs, the parties filed Manifestations respectively dated May 15, 2015³⁹ and May 22, 2015,⁴⁰ informing the Court that they were adopting their previous Briefs submitted to the CA.

Issue

The sole issue for our resolution is whether the CA, in affirming the RTC, erred in finding Antonio guilty of the crime of Parricide on the basis of his extrajudicial confession.

The Court's Ruling

In his Appeal, Antonio insists that his extrajudicial confession is inadmissible on the ground that it was given under a "coercive physical or psychological atmosphere".⁴¹ To support his claim, Antonio underscores the fact that he was inside a detention cell with two (2) or three (3) other detainees when he allegedly confessed to the crime before the media.⁴²

We are not persuaded.

At the outset, we note that Antonio had already *admitted* in his Appellant's Brief that he was not under custodial investigation at the time he gave his extrajudicial confession:

Although he was not under custodial investigation, note must be taken that Antonio Dacanay was inside a detention cell with two (2) or three (3) other detainees when he allegedly confessed before the media.⁴³

³⁶ *Rollo*, p. 15.

³⁷ *Id.* at 16-18.

³⁸ *Id.* at 22-23.

³⁹ *Id.* at 24-26.

⁴⁰ *Id.* at 29-30.

⁴¹ *CA rollo*, p. 93.

⁴² *Id.* at 92.

⁴³ Appellant's Brief dated March 20, 2012, p. 15; *id.*



x x x x

Lastly, although confession before the media does not form part of custodial investigation, Antonio Dacanay should have been informed about the consequences of his (*sic*) when he decided to confess his alleged guilt.⁴⁴

Hence, Antonio's reliance on constitutional safeguards is misplaced as much as it is unfounded. We need not belabor this point.

At this juncture, it bears stressing that during the separate occasions that Antonio was interviewed by the news reporters, there was no indication of the presence of any police officers within the proximity who could have possibly exerted undue pressure or influence. As recounted by both reporters during their testimonies, Antonio voluntarily narrated how he perpetrated the crime in a candid and straightforward manner, "with no trace of fear, intimidation or coercion in him".⁴⁵ We quote with approval the following observations by the RTC in its Decision dated June 21, 2011:

Insofar as accused's confession was heard, media men Nestor Etolle from the Philippine Star and Jun Adsuara from Tanod (Bantay ng Bayan) alleged, in the same tenor, that when it was reported that the case has (*sic*) been solved, **they each went, at different time intervals, to the detention cell of the Manila Police District to interview the suspect. Accused, however, remained consistent in admitting that he was the one who killed his wife** (TSN dated November 17, 2008, p. 7; TSN dated November 26, 2008, pp. 4-5).⁴⁶

x x x x

The audacity displayed by the accused in admitting the killing of his wife slowly ebbed away as time passed by. Initially moved by a moral will since his conscience could no longer contain it, accused's admission to the crime was unfortunately perpetuated by media men who published articles on his resigned fate. In the October 10, 2007 article of Jun Asuadra in the Tanod Diyaryo ng Bayan, accused was even quoted to have said, "*Hindi ako nagsisisi na pinatay ko ang aking asawa*" (Exhibits "E" to "E-2") x x x.⁴⁷

x x x x

Despite such caveat admonished by the Supreme Court, **it is found that accused's media confession in this case reels (*sic*) with the spontaneity of his admission for which reason he should be made responsible for the culpable act of having stabbed his wife 26 repeated times.** Clearly, it was the dictates of his conscience which made accused reveal his inner demons.

Nestor Etolle was particularly certain that accused talked in a candid and straightforward manner with no trace of fear, intimidation

⁴⁴ Id. at 16; id. at 93.

⁴⁵ CA rollo, p. 27.

⁴⁶ Id. at 21.

⁴⁷ Id. at 25-26.

or coercion in him x x x. As an indication that accused was moved by his inner will, his revelations spilled more than what was necessary. Accused rather bared the essential details of the crime – from the marital squabble over the missing P100,000.00 to the fact that he threw away the ice-pick but after attempting to frame up evidence by staging the presence of cigarette butts and a glass of juice on the kitchen table. **These are damning statements; yet, the purity of such revelations could have only come from the tormented mind of the accused. Indeed, only torment could wash the soul of its impurities.**⁴⁸ (Emphasis supplied)

Meanwhile, in the questioned Decision, the CA further observed:

When the accused was interviewed on separate occasions by Nestor Etolle of Philippine Star and Juan Adsuara of Tanod Diyaryo ng Bayan, the media men where (*sic*) outside the detention cell. In both instances, there was no indication of any presence of police officers within the proximity of the accused who can possibly exert undue pressure or influence.

Necessarily, while accused was physically restrained by the cold bars of steel, he was at liberty to remain mute. Yet, he opted to respond to inquiries from the media, and in the process, he practically threw caution to the wind and spilled the beans, so to speak, when he conceded the killing of his wife and recognized his culpability therefor. As observed by both reporters, accused-appellant voluntarily narrated how he perpetrated the crime.⁴⁹

On this score, our pronouncements in *People v. Andan*⁵⁰ are instructive. In said case, we held that a confession made before news reporters, absent any showing of undue influence from the police authorities, is sufficient to sustain a conviction for the crime confessed to by the accused:

Clearly, appellant's confessions to the news reporters were given free from any undue influence from the police authorities. **The news reporters acted as news reporters when they interviewed appellant. They were not acting under the direction and control of the police.** They were there to check appellant's confession to the mayor. They did not force appellant to grant them an interview and reenact the commission of the crime. In fact, they asked his permission before interviewing him. **They interviewed him on separate days not once did appellant protest his innocence. Instead, he repeatedly confessed his guilt to them. He even supplied all the details in the commission of the crime, and consented to its reenactment.** All his confessions to the news reporters were witnessed by his family and other relatives. There was no coercive atmosphere in the interview of appellant by the news reporters.

We rule that appellant's verbal confessions to the newsmen are not covered by Section 12 (1) and (3) of Article III of the Constitution. The Bill of Rights does not concern itself with the relation between a private individual and another individual. It governs the relationship between the individual and the State. The prohibitions therein are

⁴⁸ Id. at 27-28.

⁴⁹ *Rollo*, p. 11.

⁵⁰ 336 Phil. 91 (1997).

primarily addressed to the State and its agents. They confirm that certain rights of the individual exist without need of any governmental grant, rights that may not be taken away by government, rights that government has the duty to protect. x x x⁵¹ (Emphasis supplied)

The fact that the extrajudicial confession was made by Antonio while inside a detention cell does not by itself render such confession inadmissible, contrary to what Antonio would like this Court to believe. In *People v. Domantay*,⁵² where the accused was also interviewed while inside a jail cell, this Court held that such circumstance alone does not taint the extrajudicial confession of the accused, especially since the same was given freely and spontaneously:

Accused-appellant claims, however, that the atmosphere in the jail when he was interviewed was “tense and intimidating” and was similar to that which prevails in a custodial investigation. We are not persuaded. Accused-appellant was interviewed while he was inside his cell. The interviewer stayed outside the cell and the only person besides him was an uncle of the victim. Accused-appellant could have refused to be interviewed, but instead, he agreed. He answered questions freely and spontaneously. According to Celso Manuel, he said he was willing to accept the consequences of his act.

Celso Manuel admitted that there were indeed some police officers around because about two to three meters from the jail were the police station and the radio room. We do not think the presence of the police officers exerted any undue pressure or influence on accused-appellant and coerced him into giving his confession.

Accused-appellant contends that “it is...not altogether improbable for the police investigators to ask the police reporter (Manuel) to try to elicit some incriminating information from the accused.” This is pure conjecture. Although he testified that he had interviewed inmates before, there is no evidence to show that Celso was a police beat reporter. Even assuming that he was, it has not been shown that, in conducting the interview in question, his purpose was to elicit incriminating information from accused-appellant. To the contrary, the media are known to take an opposite stance against the government by exposing official wrongdoings.

Indeed, there is no showing that the radio reporter was acting for the police or that the interview was conducted under circumstances where it is apparent that accused-appellant confessed to the killing out of fear. x x x⁵³ (Emphasis supplied)

Following this Court’s ruling in *People v. Jerez*,⁵⁴ the details surrounding the commission of the crime, which could be supplied only by the accused, and the spontaneity and coherence exhibited by him during his interviews, belie any insinuation of duress that would render his confession inadmissible.

⁵¹ Id. at 112-113.

⁵² 366 Phil. 459 (1999).

⁵³ Id. at 474-475.

⁵⁴ 349 Phil. 319, 327 (1998).



Notably, while Antonio's testimony is replete with imputations of violence and coercion, no other evidence was presented to buttress these desperate claims. Neither was there any indication that Antonio instituted corresponding criminal or administrative actions against the police officers allegedly responsible. It is well-settled that where the accused fails to present evidence of compulsion; where he did not institute any criminal or administrative action against his supposed intimidators for maltreatment; and where no physical evidence of violence was presented, all these will be considered as factors indicating voluntariness.⁵⁵

In fact, what is glaring from the evidence is the deafening silence of Antonio's son, Quinn, with respect to the violence and coercion allegedly inflicted on his person and that of his father's. Indeed, were the allegations of Antonio even faintly true, Quinn would have testified to such fact while on the witness stand. Instead, despite numerous opportunities to do so, Antonio's claims were left uncorroborated, as aptly pointed out by the RTC:

The only person who could have corroborated accused's allusion to coercion and intimidation was his own son, Quinn Anthony. However, when Quinn Anthony took the witness stand, he merely referred to the arrest of his father. He alleged that he did not even ask his father the reason for his arrest and right there and then, simply told him to take care of himself (TSN dated June 2, 2008, p. 11).

Perceptively, if any of such coercion or intimidation occurred, 18-year old Quinn Anthony would have been naturally goaded to reveal them. He already lost his mother. The fear of losing his father, if unjustly castigated, would have made him corroborate his father's story. But none absolutely came on the witness stand. There is thus a nagging suspicion that accused's account of coercion and intimidation may have been twisted after all.⁵⁶

All told, absent any independent evidence of coercion or violence to corroborate Antonio's bare assertions, no other conclusion can be drawn other than the fact that his statements were made freely and spontaneously, unblemished by any coercion or intimidation.

Under Article 246 of the RPC, the crime of Parricide is committed when: (1) a person is killed; (2) the deceased is killed by the accused; (3) the deceased is the father, mother, or child, whether legitimate or illegitimate, or a legitimate other ascendants or other descendants, or the legitimate spouse of the accused.⁵⁷ Undoubtedly, all elements are present in this case.

To begin with, the fact that Norma was the spouse of Antonio was sufficiently proven by the prosecution through their Marriage Contract.⁵⁸

⁵⁵ *People v. Tuniaco*, 624 Phil. 345, 352 (2010); see *People v. Del Rosario*, 411 Phil. 676, 690-691 (2001).

⁵⁶ CA rollo, p. 28.

⁵⁷ *People v. Macal*, G.R. No. 211062, January 13, 2016, p. 7.

⁵⁸ CA rollo, p. 29.



Next, as a rule, an extrajudicial confession, where admissible, must be corroborated by evidence of *corpus delicti* in order to sustain a finding of guilt.⁵⁹ In this connection, extrajudicial confessions are presumed voluntary until the contrary is proved.⁶⁰

Hence, as extensively discussed above, considering that Antonio failed to rebut such presumption of voluntariness regarding the authorship of the crime, coupled with the fact of death of his wife, Norma, we find Antonio guilty beyond reasonable doubt for the crime of Parricide.

As a final note, worth reiterating is the general rule that factual findings of the trial court, especially when affirmed by the CA, deserve great weight and respect and should not be disturbed on appeal, unless these are facts of weight and substance that were overlooked or misinterpreted and would materially affect the disposition of the case.⁶¹ Moreover, in assessing the credibility of the competing testimonies of witnesses, the Court defers to the findings of the trial court, in light of the unique opportunity afforded them to observe the witnesses and to ascertain and measure their sincerity, spontaneity, as well as their demeanor and behavior in court.⁶²

In addition, the Court finds sufficient basis to award damages to the heirs of Norma, notwithstanding the lack of such grant by the RTC and CA. An appeal in a criminal case opens the entire case for review on any question including one not raised by the parties.⁶³ In this case, the crime of Parricide was committed absent any modifying circumstances that would affect the imposable penalty. Hence, following our ruling in *People v. Jugueta*,⁶⁴ we hereby grant an award for civil indemnity and moral and exemplary damages in the amount of Seventy-Five Thousand Pesos (₱75,000.00) each.

WHEREFORE, premises considered, the appeal is **DISMISSED** for lack of merit. The Decision dated April 2, 2014 of the Court of Appeals in CA-G.R. CR-HC No. 05083, finding accused-appellant Antonio T. Dacanay **GUILTY** beyond reasonable doubt of the crime of Parricide under Article 246 of the Revised Penal Code, as amended, is hereby **AFFIRMED** with **MODIFICATION**, ordering him to pay the heirs of Norma E. Dacanay, Seventy Five Thousand Pesos (₱75,000.00) as civil indemnity, Seventy Five Thousand Pesos (₱75,000.00) as moral damages, and Seventy Five Thousand Pesos (₱75,000.00) as exemplary damages. All monetary awards shall earn interest at the legal rate of six percent (6%) *per annum* from the date of finality of this Decision until fully paid.

⁵⁹ *People v. De la Cruz*, 344 Phil. 653, 666 (1997).

⁶⁰ See *People v. Alvarez, Jr.*, 456 Phil. 889, 897 (2003).

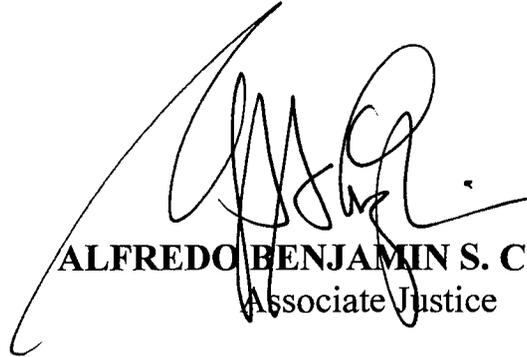
⁶¹ *Almojuela v. People*, 734 Phil. 636, 651 (2014).

⁶² *People v. Gahi*, 727 Phil. 642, 658 (2014).

⁶³ *People v. Rivera*, 613 Phil. 660, 668 (2009).

⁶⁴ *People v. Jugueta*, G.R. No. 202124, April 5, 2016.

SO ORDERED.



ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

WE CONCUR:



MARIA LOURDES P. A. SERENO
Chief Justice
Chairperson



TERESITA J. LEONARDO-DE CASTRO
Associate Justice



LUCAS P. BERSAMIN
Associate Justice



ESTELA M. PERLAS-BERNABE
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



MARIA LOURDES P. A. SERENO
Chief Justice