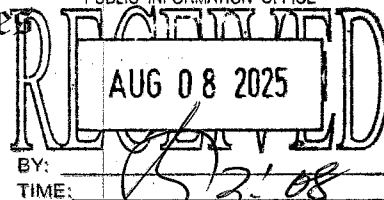




Republic of the Philippines
Supreme Court
Baguio City

THIRD DIVISION

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



RONEL
CALIPIO,*

CARIDAOAN

y

G.R. No. 228741

Petitioner,

Present:

-versus-

CAGUIOA, J., Chairperson,
INTING,
DIMAAMPAO,
MARQUEZ,* and
SINGH,** JJ.

PEOPLE OF THE PHILIPPINES,
Respondent.

Promulgated:

APR 23 2025

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DECISION

CAGUIOA, J.:

This Petition for Review on *Certiorari*¹ (Petition) filed by petitioner Ronel Caridaoan y Calipio (Caridaoan) assails the Decision² dated March 18, 2016 and Resolution³ dated October 24, 2016 of the Court of Appeals, Thirteenth Division, Manila (CA) in CA-G.R. CR No. 36759, which affirmed the Judgment⁴ dated September 13, 2013 of Branch 4, Regional Trial Court of Baguio City (RTC) in Criminal Case No. 31435-R, finding Caridaoan

* In line with Amended Administrative Circular No. 83-2015 dated September 5, 2017, titled "Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances," the names of the private offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity.

* Designated additional Member per Raffle dated February 11, 2025, vice Associate Justice Samuel H. Gaerlan.

** On leave.

¹ *Rollo*, pp. 3–26.

² *Id.* at 28–42. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla with Associate Justices Normandie B. Pizarro and Samuel H. Gaerlan (now a Member of this Court) concurring.

³ *Id.* at 44–45.

⁴ *Id.* at 47–83. Penned by Presiding Judge Mia Joy C. Oallares-Cawed.

guilty beyond reasonable doubt for violation of Section 5(i)⁵ of Republic Act No. 9262,⁶ otherwise known as the “Anti-Violence Against Women and Their Children Act of 2004” (VAWC Law).

The Facts

Caridaoan was charged with violation of Section 5(i) of Republic Act No. 9262, the accusatory portion of the Information reads:

That sometime in February 2010 towards the last quarter of the year 2010, this city, and within the jurisdiction of this Honorable Court, [Caridaoan], then the live-in partner of [private complainant] AAA, did then and there willfully, unlawfully and feloniously commit an act of Emotional Abuse and/or Psychological Abuse against her by purposely carrying an affair with one MICHELLE AGCANAS⁷ [(Michelle)], one of their employees right inside their dwelling, and being fully aware of the heart condition of [AAA], likewise making said [Michelle] co-manage their business to the detriment of [AAA] and, otherwise flaunting their relationship to her by excluding her in the affairs AND INCOME of their business, thereby causing her such mental and emotional anguish, humiliation and depression characterized by feelings of weakness, sadness, fatigue, crying spells, intense anxiety and a tendency to withdraw, to the prejudice of [AAA].

CONTRARY TO Republic Act [No.] 9262.⁸

Caridaoan pleaded not guilty to the above-quoted charge. Trial on the merits ensued.

Version of the prosecution

The CA summarized the prosecution’s version of the events as follows:

AAA . . . and [Caridaoan] had been living together without the benefit of marriage, since 1998. During their cohabitation, they put up a business of a 24-hour car wash. In November 2009, [AAA] hired [Michelle] as secretary. The latter was responsible for listing down customers coming in, selling soft drinks and counting income for the day. Since the business was operating on a 24-hour basis, they took turns in tending the shop, [AAA] and [Caridaoan] worked during the day and Michelle at night. Michelle was likewise staying with them at their rented house in [ZZZ City].

⁵ SECTION 5. *Acts of Violence Against Women and Their Children.* — The crime of violence against women and their children is committed through any of the following acts:

....
(i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children or denial of access to the woman’s child/children.

⁶ An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes, approved March 8, 2004.

⁷ Also appear as “Michelle Joy Agcanas” in some parts of the records.

⁸ *Rollo*, p. 29.

She would sleep at the upper deck of their bed while they occupied the lower deck.

In the first week of February 2010, [AAA] already suspected that [Caridaoan] and Michelle were having an affair when she saw them in the living room watching TV. [Caridaoan] was seated on the sofa with his legs wide open and Michelle was standing close to him in between his legs. When they saw her, [Caridaoan] immediately closed his legs and Michelle moved to the side. [AAA] went inside their room followed by [Caridaoan]. She asked him, "since when?" [Caridaoan] replied that what she had in mind is not true. So she simply cried.

On February 6, 2010, [Caridaoan] and [AAA] were quarreling inside the car on the way to their shop when [Caridaoan] asked her if he could go out with his friends. On the same day, Michelle called and informed her that she was going home to Nueva Vizcaya and told her to take care of [Caridaoan]. [AAA] called [Caridaoan] and told him about Michelle's plan. [Caridaoan] told her that he would talk to Michelle. At that time, she confirmed that [Caridaoan] and Michelle indeed had a relationship. [AAA] cried and kept on calling [Caridaoan].

The next day, February 7, [AAA] went to the hotel where Michelle and [Caridaoan] were staying. Inside the room, [Caridaoan] embraced Michelle and the latter told her that she cannot go on with her life without [Caridaoan]. [AAA] asked [Caridaoan] what would they do and he replied that he would be with Michelle during daytime and with her at nighttime. Since she could not also go on without [Caridaoan], [AAA] simply cried and accepted the fact that there were two of them in [Caridaoan]'s life. As arranged, [Caridaoan] would be home at around 12:00 o'clock midnight and leave their house at 4:30 in the morning.

At that time, [Caridaoan] and Michelle were already managing the car wash business while [AAA] stayed at home as per doctor's advice since she has a heart disease. She was given a monthly income of [PHP] 4,000.00 from their business. [Caridaoan] would also buy her food and medicines for [PHP] 5,000.00. He also told her that their business was losing profits. She wanted to confirm it but [Caridaoan] did not want her to go to their shop because Michelle was there.

After her heart surgery in June 2010, [Caridaoan] would seldom go home as per their arrangement. Instead, he hired somebody to help her. Because of what happened, [AAA]'s ailment worsened. She was deeply hurt and neglected herself. She sought psychological consultation. She could not sleep and she always cried for no apparent reason.

Irene Aquino [(Irene)], helper of [AAA] and [Caridaoan], attested to the relationship of [Caridaoan] and Michelle. In February 2010, when she came back from La Union, she saw [AAA] crying in her bedroom while Michelle and [Caridaoan] were at their living room. She asked Michelle why [AAA] was crying and the former replied that she was jealous of her. Michelle also told Irene that she wanted to go home but when [Caridaoan] heard it, he stopped her. So both of them left for Nueva Vizcaya. [Caridaoan] told Irene to take charge while he was gone. Meanwhile, [AAA] kept on crying and vomiting so Irene accompanied her to have her ECG. When [Caridaoan] and Michelle returned, they looked for another



place to stay. They had an agreement that [Caridaoan] would stay with Michelle during the day and with [AAA] at night. In May 2010 until September 2010, [Caridaoan] and Michelle hired Irene as secretary in the car wash shop.

Dr. Beatriz Inumpa, a psychiatrist, diagnosed [AAA] with a panic disorder, characterized by recurrent panic episodes of palpitation, difficulty of breathing, tremors, and fear, which is very severe that would result to impairment of the patient's occupational and social aspects. She also found her to be a victim of psychological abuse based on the patient's history which aggravated her heart ailment. [AAA] underwent psychotherapy and anti-depressant and anti-anxiety medication.

To know the emotional and intellectual state of [AAA], she was referred to Alma Riza Manao, a psychologist and member of the Philippine Mental Health Association, for a series of psychological tests. She was found to have experienced intense anxiety, feelings of inadequacy, weakness, low self-esteem and low leadership skills. She also exhibited depressive traits characterized by sadness, fatigue, crying spells and intense anxiety. All these were rooted not from her heart ailment but from the alleged emotional abuse committed by her former live-in partner. But her emotional anxieties could have aggravated her heart condition especially upon knowing that the business which she had established was managed by her former live-in partner and his other woman.⁹

Version of the defense

On the other hand, the CA summarized the version of the defense as follows:

[Caridaoan], on the other hand, claimed that he and [AAA] first met in Ilocos Norte in 1998. They fell in love and a year later at the age of 19 years old, they decided to live together in [ZZZ] City. She was unemployed, while [Caridaoan] was a construction worker. In 2001, they decided to put up a business of windshield repair. Since [AAA] had a sister in USA, she offered to provide for the chemicals needed. They agreed on a 50-50 share of profit. However, due to the meddling of [AAA]'s parents, their business closed. They put up another business in San Fernando City, La Union but the same also closed for the same reason. They came back to [ZZZ] City and started a new business of windshield repair and car wash. The car wash business was registered under the name of [AAA] for the purpose of applying visa to USA. In 2010, they closed the business since they were no longer live-in partners.

They were happy at the beginning of their relationship. However, after a year of living together, [AAA]'s true character manifested. She was childish and jealous. She would get angry at [Caridaoan] in front of their customers, thus, embarrassing him. They were always fighting about money, just like when his parents were asking for financial help, she would not give any even when they were already dying. Despite her attitude, [Caridaoan] kept his feelings to himself because he knew she has a rheumatic heart disease.

⁹ *Id.* at 29-32.



[Caridaoan] and [AAA] did not live alone. They usually had companions, mostly their workers, who were with them in their house. One of them is Michelle, the cashier in their car wash business. She and [AAA] were initially friends and the latter even accompanied the former for a check-up on her UTI. One time, Michelle joined them for a snack at Jollibee and [AAA] ordered a soft drink for Michelle. [Caridaoan] told her that it was bad for Michelle and she misinterpreted it as him having an interest on Michelle. Since then she was in a bad mood and would not talk to him. [Caridaoan] even talked to [AAA]'s father regarding her behavior. He finally told her that he would like to part ways with her because he could not stand her behavior. She did not accept it and asked for forgiveness and another chance.

[Caridaoan], however, decided to part ways with [AAA]. Then, he courted Michelle and they got married on March 22, 2010 in Nueva Vizcaya. At that time, [AAA] was already sick and she gave the business permit and other documents of their business to [Caridaoan] and told him to manage it. He gave her money to buy medicines. But [Caridaoan] did not accompany her during her heart operation because at that time they were no longer a couple. He sold their car and gave all the proceeds to [AAA] for her operation. They seldom see each other and she would often call and tell him she had difficulty in breathing. One time, [Caridaoan] chanced upon her trying to keep a bundle of money with a picture of a male person in between the bulk. He asked who the person was and she told him it was her boyfriend, a taxi driver and customer of their car wash. [Caridaoan] was surprised since [AAA] just had her operation and she and her boyfriend had been together for a long time. It was then when they decided to divide the proceeds of the business. Then, [AAA] wanted to get back the business permit. When [Caridaoan] did not accede, she filed a complaint with the barangay. To settle the case, [Caridaoan] sold all the business properties. But it came to a surprise when she filed a case against him for psychological abuse when he did not even hurt her.

BBB, former live-in partner of [AAA]'s brother, corroborated the latter's testimony by stating that whenever [Caridaoan] would leave their house, [AAA] would call her boyfriend Sam. She would remove her regular SIM and put on another SIM to get in touch with Sam. She knew this because the live-in partners' boarding house and the place where she was staying was adjacent to each other. She would hear her say, "*Hello Daddy, ayan mon, kumusta kan Daddy love?*" (Hello Daddy, how are you? Where are you now Daddy love?) She knew that [AAA] was talking to Sam and not [Caridaoan] because she would call [Caridaoan] Papa Toot. BBB further testified that it was after [AAA]'s operation when she first introduced Sam to her as her "*Daddy, boyfriend.*" [Caridaoan] and [AAA] broke up in June 2010, after her operation.¹⁰

Ruling of the RTC

On September 13, 2013, the RTC rendered a Judgment convicting Caridaoan for violation of Section 5(i) of Republic Act No. 9262, the dispositive portion of which reads:

¹⁰ *Id.* at 32-34.



WHEREFORE, the court finds accused RONEL CARIDAOAN **GUILTY** of the offense of Violation of Section 5 (i) of [Republic Act No.] 9262. He is sentenced to the indeterminate penalty of [four] (4) years, two (2) months and one (1) day of *prision correc[c]ional*, as minimum, to eight (8) years and one (1) day of *prision mayor* as maximum.

He is directed to pay a fine in the amount of One hundred thousand pesos ([PHP] 100,000.00) and is likewise directed to undergo mandatory psychological counselling [sic] or psychiatric treatment of which he shall report compliance to the court. Further, [Caridaoan] is directed to pay [AAA] fifty thousand pesos ([PHP] 50,000[.00]) as moral damages.

Let a Permanent Protection Order issue in [favor] of [AAA] pursuant to the Rules.

SO ORDERED.¹¹

The trial court anchored its finding in the case of *People v. Genosa*,¹² ruling that AAA was suffering from a battered woman syndrome characterized by intense anxiety, inadequacy, weakness, and insecurity brought about by Caridaoan's relationship with their secretary. The trial court ruled that Caridaoan took advantage of AAA's love for him by coming up with an arrangement that he would stay with both women—in the morning with Michelle and in the evening with AAA. The trial court disregarded Caridaoan's claim that his act of leaving AAA was justified due to her bad traits such as extreme jealousy.¹³

Aggrieved, Caridaoan appealed to the CA.¹⁴

Ruling of the CA

In its assailed Decision, the CA denied Caridaoan's appeal and affirmed the Judgment of the RTC.¹⁵

The CA explained that to be convicted for violation of Section 5(i) of Republic Act No. 9262, the following must be proven: (1) The offender is a husband, former husband of, or has or had a sexual or dating relationship with the offended woman; (2) The offender, by himself or through another, commits an act or series of acts of mental infidelity against the woman; and (3) The infidelity causes substantial emotional or psychological distress to her.¹⁶ According to the CA, the prosecution was able to establish all the elements of the crime: Caridaoan and AAA had been together for 11 years; Caridaoan committed "mental infidelity" by having a relationship with

¹¹ *Id.* at 82–83.

¹² 464 Phil. 680 (2004) [Per J. Panganiban, *En Banc*].

¹³ *Rollo*, p. 34, CA Decision.

¹⁴ *Id.* at 35.

¹⁵ *Id.* at 41.

¹⁶ *Id.* at 37.

Michelle while still living with AAA; and such mental infidelity caused AAA emotional and psychological stress.¹⁷

Further, the CA found the RTC's appreciation of the battered woman syndrome erroneous. The CA explained that the battered woman syndrome may only be considered in crimes committed by a woman where battered woman syndrome is interposed as a justifying circumstance of self-defense. Such principle does not apply in this case.¹⁸

Finally, the CA found proper the penalty imposed by the RTC including the fine of PHP 100,000.00.¹⁹

Caridaoan moved for reconsideration of the CA's Decision.²⁰ In the assailed Resolution, the CA denied Caridaoan's motion for lack of merit.²¹

Thus, the present Petition.

In his Petition, Caridaoan argues that the CA erred in affirming his conviction for violation of Section 5(i) for the following reasons: (1) Ending a 10-year relationship with someone who happens to have a rheumatic heart disease is not tantamount to psychological violence. There must be malice on the part of the accused;²² (2) The prosecution failed to prove that he had an affair with Michelle while he was still living together with AAA. On the contrary, records established that he formally ended his relationship with AAA;²³ and (3) Caridaoan did not maliciously intend to cause AAA mental or emotional anguish. The mental or emotional anguish AAA suffered due to their break-up is normal and of common human experience.²⁴

Caridaoan also finds incredible AAA's unsubstantiated claim that he agreed to a peculiar arrangement that he would live with Michelle in the morning and stay with AAA in the evening. He categorically denies the existence of such arrangement.²⁵ According to Caridaoan, his lawful spouse, Michelle, would never agree to allow her husband to sleep with another woman at night. Caridaoan further argues that even assuming that such arrangement exists, AAA cannot claim that she was mentally, emotionally, and psychologically abused by Caridaoan as she agreed to such kind of arrangement.²⁶

¹⁷ *Id.* at 37–38.

¹⁸ *Id.* at 40.

¹⁹ *Id.* at 41.

²⁰ *Id.* at 44.

²¹ *Id.* at 44–45.

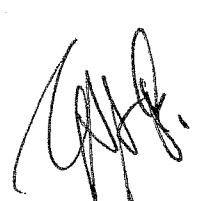
²² *Id.* at 11.

²³ *Id.*

²⁴ *Id.* at 11–12.

²⁵ *Id.* at 20.

²⁶ *Id.* at 13.



Caridaoan likewise assails the appreciation of the findings of the psychologist. According to Caridaoan, these findings are inaccurate for not having been verified or validated through separate and/or independent interview or test of persons other than AAA. Caridaoan argues that a finding that AAA is a woman of low self-esteem, with poor leadership skills, or dependent on others does not necessarily mean that AAA is an abused woman.²⁷

Finally, Caridaoan faults the CA in overlooking the evidence on record that he did not commit infidelity against AAA. While it is true that he engaged in a relationship with, and in fact, married Michelle, such facts happened only after Caridaoan formally ended his relationship with AAA.²⁸

Respondent People of the Philippines, through the Office of the Solicitor General, on the other hand, insists that the CA correctly affirmed Caridaoan's guilt beyond reasonable doubt for violation of Section 5(i) of Republic Act No. 9262.²⁹ According to the People, AAA's categorical testimony proved that Caridaoan indeed caused her emotional and psychological abuse by engaging in a relationship with Michelle while living with AAA.³⁰ This was corroborated by the findings of the psychologist that AAA's anxiety and depressions were mostly caused by her experiences with her former live-in partner, when the latter carried an affair with another woman and deprived AAA of her rightful share to their business.³¹

Lastly, the People asserts that Caridaoan's arguments primarily relate to questions of facts which are improper in a petition for review on *certiorari*.³²

Issue

Whether Caridaoan is guilty of violating Section 5(i) of Republic Act No. 9262.

The Court's Ruling

The Petition is meritorious. The Court acquits Caridaoan on the basis of reasonable doubt.

In our criminal justice system, the overriding consideration is not whether the court doubts the innocence of the accused but whether it entertains reasonable doubt as to his guilt.³³ It is therefore incumbent upon the prosecution

²⁷ *Id.* at 14–16.

²⁸ *Id.* at 19–20.

²⁹ *Id.* at 123–124.

³⁰ *Id.* at 134.

³¹ *Id.* at 136–137.

³² *Id.*

³³ *People v. Pagaura*, 334 Phil. 683 (1997) [Per J. Torres, Jr., Second Division].



to prove that the accused is indeed guilty beyond reasonable doubt³⁴ of the crime charged. The evidence of the prosecution must be strong enough to overcome the presumption of innocence and to exclude every hypothesis except that of the guilt of the accused. If the inculpatory facts and circumstances are capable of two or more explanations, one of which is consistent with the innocence of the accused and the other consistent with his guilt, then the evidence does not pass the test of moral certainty and will not suffice to support a conviction.³⁵

In this case, the prosecution failed to prove that the acts complained of gave rise to psychological violence under Section 5(i) of Republic Act No. 9262 as its own evidence tends to support Caridaoan's innocence.

Caridaoan is being charged for violating Section 5(i) of Republic Act No. 9262, which provides:

SECTION 5. *Acts of Violence Against Women and Their Children.* — The crime of violence against women and their children is committed through any of the following acts:

....

- (i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children or denial of access to the woman's child/children.

From the plain language of the afore-quoted provision, what the law punishes is the infliction of psychological violence on the woman or her child and not the means employed by the accused to perpetrate the crime.³⁶ Notably, Section 5(i) does not contain an exclusive list on what the accused may employ to cause mental or emotional anguish as indicated by the phrase "but not limited to."³⁷ Section 5(i) identifies examples of acts that may fall under Section 5(i) such as repeated verbal and emotional abuse, denial of financial support or custody of minor children, or denial of access to the woman's children. In relation thereto, Section 3(a) defines psychological violence as "acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse, and marital infidelity."

Considering that the enumeration of acts that may be used by the accused to cause mental or emotional anguish upon a woman and/or her child

³⁴ *Id.*

³⁵ *People v. Lagramada*, 436 Phil. 758, 761 [Per J. Panganiban, Third Division].

³⁶ *See Dinamling v. People*, 761 Phil. 356 (2015) [Per J. Peralta, Third Division].

³⁷ *See XXX v. People*, 949 Phil. 321, 326 (2023) [Per J. Lopez, J., Second Division].



is not exclusive, proving specific criminal intent bears greater significance in determining whether Section 5(i) was indeed violated. Stated otherwise, to be considered as psychological violence under Section 5(i), the act/s of the accused must be done with the intent or purpose to cause the woman mental or emotional anguish, public ridicule, or humiliation.

Moreover, jurisprudence has consistently underscored the distinction between the psychological violence committed by the perpetrator and the effect caused to or the damage sustained by the offended party.³⁸ These are elements of violation of Section 5(i) which the prosecution must also separately prove beyond reasonable doubt. To establish the first, it is necessary to show proof of commission of any of the acts enumerated in Section 5(i) or such similar acts. Mental and emotional anguish, public ridicule, and humiliation suffered by the woman, on the other hand, is established by her testimony as these experiences are personal to her.³⁹

In addition, it is absolutely necessary that there be a causal link between the acts complained of, the requisite criminal intent, and the mental or emotional anguish experienced by the woman.⁴⁰ There must be proof that the woman's mental or emotional anguish was a result of or directly attributable to the alleged acts intentionally committed by the accused for the exact purpose of inflicting emotional violence upon her. This is because, depending on the circumstances of each case and for varied reasons, actions of a husband or partner may or may not cause a woman mental or emotional anguish, public ridicule, or humiliation.⁴¹ Conversely, not every suffering or distress experienced by a woman in an intimate relationship could automatically be said to be intentionally caused by or directly attributable to her partner. As the threshold in criminal cases is proof beyond reasonable doubt, there must necessarily be a strong causation between the acts of the accused, the criminal intent to inflict the violence, and the mental and emotional anguish suffered by the woman.

Hence, to convict an accused for violating Section 5(i), the following elements must be proven:

- (1) The offended party is a woman and/or her child or children;
- (2) The woman is either the wife or former wife of the offender, or is a woman with whom the offender has or had a sexual or dating relationship, or is a woman with whom such offender has a common child. As for the woman's child or children, they may be legitimate or illegitimate, or living within or without the family abode;
- (3) The offender causes on the woman and/or child mental or emotional anguish; and

³⁸ See *XXX v. People*, 896 Phil. 737, 747 (2021) [Per J. Carandang, First Division].

³⁹ See *Dinamling v. People*, *supra* note 36, at 376.

⁴⁰ See *XXX261920 v. People*, 938 Phil. 619 (2023) [Per J. Lazaro-Javier, Second Division].

⁴¹ See *AAA v. BBB*, 823 Phil. 607 (2018) [Per J. Tijam, First Division].



- (4) The anguish is caused through acts of public ridicule or humiliation, repeated verbal and emotional abuse, denial of financial support or custody of minor children or access to the children or similar acts or omissions.⁴²

Applying the foregoing to the present case, there is reasonable doubt as to the existence of the third and fourth elements of the crime.

To recall, the Information stated that AAA's mental and emotional anguish, humiliation, anxiety, and depression were caused by the following acts committed by Caridaoan sometime in February 2010: (1) purposely carrying an affair with Michelle and flaunting their relationship to AAA, and (2) excluding AAA from the business by making Michelle co-manage their business to the detriment of AAA.

However, based on the evidence on record, the Court is not convinced that Caridaoan committed these acts.

First, there is no credible proof that Caridaoan carried an affair with Michelle and brandished their relationship to AAA during the alleged period.

AAA's testimony reveals that in November 2009, she hired Michelle as stay-in secretary and accommodated her in their rented apartment in ZZZ City. AAA let Michelle sleep on the upper deck of the double deck bed while Caridaoan and AAA stayed at the lower deck. Per agreement, Caridaoan and AAA manned their shop during the day, while Michelle was in charge of listing the customers and counting daily earnings at night.⁴³

In February 2010, AAA suspected that Caridaoan and Michelle were having a romantic relationship as she saw Michelle standing very close to Caridaoan's knee, who was sitting on the sofa. According to AAA, her suspicion was confirmed when Caridaoan and Michelle checked-in in a hotel and called her to meet them. At the hotel, Caridaoan embraced Michelle in front of AAA and told the latter that he will not choose between the two. Thereafter, Caridaoan accompanied Michelle to her province. When they returned to ZZZ City, Caridaoan stayed with Michelle and rented another apartment.⁴⁴

The above version was totally contradicted by Caridaoan who narrated that he did not have a relationship with Michelle while he was still living with AAA. Caridaoan recalled that they were happy at the beginning of their relationship. However, as time passed, AAA manifested her true character. They began fighting a lot about money. Caridaoan kept his feelings to himself and stayed with AAA because he knew that she has a rheumatic heart disease.

⁴² XXX v. People, 949 Phil. 153, 160 (2023) [Per J. Kho, Jr., Second Division].

⁴³ Rollo, p. 50.

⁴⁴ Id.



In the first week of February 2010, Caridaoan finally broke up with AAA. AAA initially did not accept it and asked for forgiveness and a second chance. Caridaoan admitted to AAA that he wanted to court Michelle, and AAA accepted his decision and even helped them look for a place to stay. After leaving AAA, Caridaoan and Michelle stayed together and got married on March 22, 2010.⁴⁵

As the Court sees it, nothing about the events that transpired in February 2010 or even thereafter conclusively establish that Caridaoan engaged in an intimate relationship with Michelle and flaunted it to AAA, as the Information alleges. Considering their living arrangement, seeing Caridaoan and Michelle together in their apartment or at work is not proof beyond reasonable doubt of the acts complained of. To the mind of the Court, what undoubtedly stands out even from the prosecution's own version of the events is that, during this period, Caridaoan confessed to AAA his intention to be with Michelle; and it was only after such confession did Caridaoan leave AAA, stayed and lived with Michelle, and later on married the latter. These are acts which are not part of, and even contrary to, the allegations in the Information.

Moreover, the prosecution's evidence do not show that Caridaoan excluded AAA from their business by purposely letting Michelle co-manage the same. It must be noted that Michelle had been a stay-in secretary since 2009. Also, contrary to the prosecution's allegation, Caridaoan never excluded AAA from the affairs of their business and/or deprived her of the income. AAA admitted that after her operation until August of 2010, she had been receiving from Caridaoan monthly financial support in the form of food and medicine. Caridaoan also gave AAA a share in the income from their business for the period of September 30 to October 10, 2010.⁴⁶ While AAA insists that this amount did not reflect the true income of their business, no conclusive evidence was presented proving how much income the business actually earns.⁴⁷

Further, the reason why Caridaoan prohibited AAA from visiting their shop was not because he wanted to deprive her of her share in the business and from managing the same. AAA was advised by her doctor to rest for three months—from June to September of 2010—after her heart operation. This coincides with the period when Caridaoan and Michelle were the ones running the business.

In her testimony, AAA said:

Q By the way, who was then tending to your business?

A Both of them, ma'am, Michelle and [Caridaoan].

Q What about you?

⁴⁵ TSN, Ronel Caridaoan, May 10, 2012, pp. 4–8.

⁴⁶ See TSN, AAA, August 18, 2011, pp. 14–15.

⁴⁷ See *id.* at 18.



A I just stayed home, ma'am, because I was advised by the doctor that I should avoid stress.

Q Why, why were you supposed to avoid stress?

A Because I had a heart disease.⁴⁸

....

Q And what was your arrangement with the business considering that you were advised by your doctor not to go to work to avoid stress?

A [Caridaoan] advised me not to go to the shop, ma'am, because anyway Michelle is there to look after the shop with him.

Q And after you had agreed not to go to the shop because Michelle was already there tending to it anyway, what happened?

A I just stayed home, ma'am.

Q You said that you were suffering from a heart ailment at that time, what happened with your disease?

A I had my operation.

Q Why did you have to be operated upon?

A Because my heart ailment got worse.

Q And what kind of an operation did you have to go through?

....

A They did an open heart procedure.

....

Q How long were you at the hospital and how end [sic] the recuperation period from the operation?

....

A Three months.

Q By the way, when were you operated on?

A June 28, 2010, ma'am.

....

Q From that time you had your operation until three months, that would be roughly around September of last year you were not able to go to work?

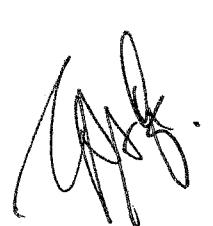
A Yes, ma'am.

Q From March as you said to around September of last year, who managed the business?

A Michelle and [Caridaoan].⁴⁹ (Emphasis supplied)

⁴⁸ *Id.* at 10.

⁴⁹ *Id.* at 11-12.



Second, the prosecution's evidence failed to establish that Caridaoan intended to cause AAA mental or emotional anguish, public ridicule, or humiliation. On the contrary, the records of the case support Caridaoan's defense of good faith.

In the case of *Acharon v. People*⁵⁰ (*Acharon*), the Court *En Banc* said that:

[In] the crimes penalized under Section 5(i) and 5(e) of [Republic Act No.] 9262 are *mala in se*, not *mala prohibita*, even though [Republic Act No.] 9262 is a special penal law. The acts punished therein are inherently wrong or depraved, and the language used under the said penal law requires a mental element. Being a crime *mala in se*, there must be a concurrence of both *actus reus* and *mens rea* to constitute the crime. "*Actus reus* pertains to the external or overt acts or omissions included in a crime's definition while *mens rea* refers to the accused's guilty state of mind or criminal intent accompanying the *actus reus*."⁵¹ (Citations omitted)

It is settled that in crimes *mala in se*, good faith and lack of criminal intent are available defenses. This is because in such crimes, the penal act is only punished when the person committing it is morally blameworthy. On the other hand, if a person commits the *actus reus* without intending any wrongdoing, then there is no *mens rea* that can fulfill the elements of the crime pertaining to intent.⁵² For violation of Section 5(i), the requisite criminal intent or *mens rea* is "causing mental or emotional anguish, public ridicule, or humiliation" upon the woman and/or her child.

In a catena of cases the Court applied *Acharon* and acquitted the accused upon finding that the prosecution's evidence failed to prove accused's criminal intent.

In the cases of *Calingasan v. People*,⁵³ *XXX v. People*,⁵⁴ and *XXX v. People*,⁵⁵ the accused were all charged with violating Section 5(i) for denying the woman and/or their child financial support. The Court acquitted all the accused because the evidence failed to prove that they purposely and deliberately refused to provide financial support to cause the woman and/or her child mental and emotional anguish, public ridicule, or humiliation. On the contrary, what was proven in these cases was that the accused's failure or delay to provide financial support was not motivated by ill will but was in fact reasonable and justified given the accused's limited and erratic sources of income.

⁵⁰ 913 Phil. 731 (2021) [Per J. Caguioa, *En Banc*].

⁵¹ *Id.* at 738.

⁵² *Gallano v. People*, G.R. No. 230147, February 21, 2024, p. 15 [Per J. Caguioa, Third Division]. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

⁵³ 919 Phil. 943 (2022) [Per J. Caguioa, First Division].

⁵⁴ *Supra* note 42.

⁵⁵ 939 Phil. 446 (2023) [Per J. Gaerlan, Third Division].



Acharon was also applied in *XXX261920 v. People*⁵⁶ (*XXX261920*), where the accused was charged with violating Section 5(i) for ordering his wife out of their conjugal house together with their two-year-old daughter, which caused her psychological and emotional anguish. The accused was acquitted because the prosecution failed to establish that his acts were impelled by a guilty state of mind. The Court explained:

Although Acharon specifically treats of denial of financial support, there is no cogent reason to not apply the same rationale to the other predicate criminal acts mentioned in Section 5(i), namely: public ridicule or humiliation, repeated verbal and emotional abuse, denial of custody of minor children or access to the children, or similar acts or omissions.

Here, the record is bereft of any evidence that petitioner ordered AAA261920 and CCC261920 to leave the conjugal dwelling with a view to willfully and deliberately inflict mental or emotional anguish upon them. On the contrary, the testimony of AAA261920 reveals that the May 2017 incident was a result of petitioner's lost temper due to a quarrel over finances. Petitioner allegedly accused AAA261920 of mismanaging their finances since she seemed to be unable to work her budget around and fit in all their expenses within his earnings as a government employee. Surely, this does not rise to the concept of criminal intent—i.e., the intentional doing of an act which the law declares to be a crime—as enunciated in *Acharon*.⁵⁷ (Emphasis supplied, citation omitted)

Similar to the foregoing cases, criminal intent was not proven in this case.

It is undisputed that despite leaving AAA and marrying Michelle, Caridaoan never abandoned AAA. Instead, he continued to provide support and assistance to AAA as she recovered from her heart operation. In her testimony, AAA herself admitted that while Caridaoan did not visit her at the hospital during the surgery, he helped her with the finances. AAA narrated that to finance her surgery, she sold a vehicle co-owned by Caridaoan.⁵⁸ Caridaoan, however, did not get his share of the proceeds of the sale⁵⁹ and let AAA keep the money for her medical needs.⁶⁰ Apart from this, as earlier discussed, AAA confirmed that during her recovery, Caridaoan regularly bought her medicines and food or anything that she would tell him to bring.⁶¹ He also gave AAA her share from the income of their business,⁶² and helped her with hiring a personal helper, named Lanie, who took care of her during recovery.⁶³

⁵⁶ *Supra* note 40.

⁵⁷ *XXX261920 v. People*, *id.* at 631–632.

⁵⁸ TSN, AAA, October 6, 2011, p. 7.

⁵⁹ *Id.* at 8.

⁶⁰ *Id.*

⁶¹ TSN, AAA, August 18, 2011, pp. 13–14.

⁶² *Rollo*, p. 30.

⁶³ *Id.* at 31.

Pertinent portions of AAA's direct testimony read:

PROS. OPIANA:

Q How did you get buy [sic] from March 2010 to September 2010 when you said that you were being told by [Caridaoan] that the business was not earning?

A He is the one buying my medicines and he would buy the things that I would tell him.

Q You also had open heart surgery at around June, who supported for [sic] that?

A We used the proceeds of the vehicle we sold and our savings.

....

Q You said, Madam Witness, that your live-in partner would on occasion buy you the food that you can eat as well as medicines, from what period would this be?

A March.

Q Until?

A Up to August.

Q Could you tell us roughly how much he would be spending for these medicines and food in a month in the average?

A Around [PHP 5,000.00] to [PHP 6,000.00] a month.

....

Q Other than this [PHP 5,000.00] more or less receiving from him from March to August, was there any proceed that you received from the business?

A What I received during that period is only [PHP 4,000.00].

Q What was the [PHP 4,000.00] for?

A My share from the business.

Q Let's have that be cleared, share in the business or share in the income?

A Share in the income.

Q For what month or what period?

A September 30 to October 10[,] 2010.⁶⁴

....

Q The whole time that you were at the hospital, did [Caridaoan] come to visit you?

....

A No, ma'am.

⁶⁴ TSN, AAA, August 18, 2011, pp. 13-14.



....

Q When you have to be travelled back home, who was with you?

A My aunt, ma'am, and her goddaughter Irene.

Q And when you were already back home, who attended to you while you were recuperating?

A [Caridaoan] hired somebody to help me, Lanie.⁶⁵

During cross-examination, AAA was consistent about Caridaoan's assistance and support for her operation:

Q Madam Witness, going back to the Honda car which you co-owned with [Caridaoan], you said earlier that you used the proceeds of the sale to finance your open-heart surgery, is that correct?

A Yes, ma'am.

....

Q Did [Caridaoan] receive a part of his share in the proceeds of the sale, Madam Witness?

....

A No, ma'am.

....

Q When you received the [PHP 190,000.00] proceeds of sale, you never offered to give the share of [Caridaoan] to him?

....

A When we got the payment, he gave it to me saying, you received this because I know this is not even enough for your medical needs.⁶⁶

The prosecution, nevertheless, harps on the argument that AAA's mental and emotional anguish were triggered and aggravated when Caridaoan imposed an arrangement among the three of them that he would maintain his relationship with AAA and Michelle, by staying with Michelle in the morning then spending the night with AAA until 12 midnight. This alleged arrangement was underscored by the RTC and the CA as proof that Caridaoan intentionally caused AAA mental and emotional anguish. The RTC said that by imposing this arrangement upon AAA, Caridaoan took advantage of her love for him.⁶⁷ Similarly, the CA highlighted how Caridaoan could have imposed such an arrangement even after AAA found out about his relationship with Michelle and considering the emotional investment formed by the many years they had lived together.⁶⁸

⁶⁵ *Id.* at 17–18.

⁶⁶ TSN, AAA, October 6, 2011, pp. 7–9.

⁶⁷ *See rollo*, p. 77, RTC Judgment.

⁶⁸ *Id.* at 38, CA Decision.

The courts *a quo* erred in giving weight and relying heavily on the supposed arrangement as proof of criminal intent on the part of Caridaoan.

For one, the RTC and the CA disregarded AAA's own admission that the alleged arrangement was never imposed by Caridaoan, *viz.*:

Q Granting without admitting, Madam Witness, that it was really [Caridaoan] who made the proposal that you will live together in one roof along with Michelle, my question is, did [Caridaoan] ever force you of this kind of arrangement?

A No, ma'am.

....

Q You agreed to such proposal despite knowing that whenever you see Michelle at the apartment or at the carwash business, you would feel hurt, is that correct?

A Yes, ma'am, just to give her [a] chance and so that [Caridaoan] would be able to realize what he is doing is not right.

Q Madam Witness, you freely and voluntarily agreed to this arrangement knowing that it will cause you pain, is that correct?

A Yes, ma'am.⁶⁹

Both the RTC and the CA also overlooked the fact that Caridaoan refuted the existence of any agreement as to living together with both AAA and Michelle. Caridaoan categorically denied imposing a living arrangement that he would be with Michelle in the morning and stay with AAA at night.⁷⁰ He explains that such arrangement actually referred to the working hours of Michelle in their business and AAA blew it out of proportion and took it out of context to make it appear that he committed infidelity. Further, Caridaoan asserts that, in analyzing the evidence, the courts *a quo* failed to consider the time when he and AAA ended their relationship and the time when he lived with and married Michelle.⁷¹

Additionally, the Court finds that AAA's testimony bore material inconsistencies as to when the said arrangement was supposedly proposed by Caridaoan. Initially, according to AAA, the arrangement came about during the night Michelle and Caridaoan admitted to their relationship:

Q What happened in that hotel?

....

A When we were inside the room, [Caridaoan] embraced Michelle and Michelle told me she cannot go on without [Caridaoan].

Q So, after that statement was made, what did you do, if any?

⁶⁹ TSN, AAA, October 6, 2011, pp. 13–14.

⁷⁰ TSN, Ronel Caridaoan, June 7, 2012, pp. 14–15.

⁷¹ *Rollo*, pp. 20–21.

- A I asked [Caridaoan] what we will do because there are two of us. [Caridaoan] told me that Michelle will be for the daytime and I will be for the nighttime.⁷²

However, AAA later on revealed it was only Caridaoan who told her about the arrangement after returning back from Nueva Vizcaya with Michelle:

- Q And what happened upon their return?
- A [Caridaoan] did not come home first immediately but when he came, he got the Uratex foam for them to use for their apartment which they just rented.
- Q And what was the arrangement considering that they have now gotten themselves a place to stay?
- A We did not talk anything about that but only that [Caridaoan] told me that he will be with Michelle during daytime and he will be with me during nighttime.⁷³

Also, it was quite unclear from AAA's narration what the actual arrangement was. While in some parts of her testimony AAA said that the arrangement was that Caridaoan would divide his day between AAA and Michelle; she was also categorical that the arrangement agreed upon was for them to live together in one roof while Caridaoan and Michelle look for their own place to stay, viz.:

COURT:

- Q You mean to say the three of you commit together with them continuing their relationship?
- A Yes, your honor.

PROS. OPIANA:

- Q And for how long did this set-up lasts [sic], you, Michelle and [Caridaoan] living under the same roof?
- A Just one day.⁷⁴

....

- Q During your direct testimony also, Madam Witness, you claimed that [Caridaoan] allegedly proposed that you remain living together in one roof with Michelle, is that correct?
- A They admitted it, ma'am, but the arrangement was still temporary while they were still attending to some matters in ZZZ City before they go home to the province.

....

COURT:

- Q But the question is, did you agree to live together with the two of them under one roof?

⁷² TSN, AAA, August 18, 2011, p. 9.

⁷³ *Id.* at 10.

⁷⁴ *Id.* at 9.



A Yes, your honor.⁷⁵

....

PROS. OPIANA:

Q Madam Witness, you said earlier that you agreed to the arrangement that you will live under one roof?

A Yes, ma'am.⁷⁶

The Court further notes that AAA never expressed when exactly the supposed arrangement materialized. She simply claimed that it lasted from March 2010 to August 2010 and that by July 2010, Caridaoan was no longer visiting her.⁷⁷ AAA likewise contradicted her own assertion that she and Caridaoan continued to live as common-law spouses despite choosing to be with Michelle, by admitting during cross-examination, that nothing intimate happened between them during the period of the alleged arrangement.⁷⁸

As against AAA's unclear and inconsistent statements as to the supposed arrangement imposed by Caridaoan, the following were duly established from AAA's own testimony: (1) In February 2010, Caridaoan admitted to AAA his relationship with Michelle and left for Nueva Vizcaya with the latter; (2) On March 22, 2010, Caridaoan and Michelle got married in Nueva Vizcaya. AAA agreed that Michelle would continue to work in their business and that Michelle and Caridaoan would look for a separate place to stay; (3) In June 2010, AAA underwent a heart surgery, and according to her, Caridaoan never visited her at the hospital; (4) In July 2010, when AAA went home to recuperate, it was Lanie, the helper hired by Caridaoan, who took care of AAA; (5) From July to September 2010, AAA was advised by her doctor to stay at home and rest. During this period, Caridaoan and Michelle were the ones managing the business; (6) During the same period, Caridaoan regularly provided AAA financial support and even brought her medications and food.

Considering these undisputed facts, the Court is more inclined to believe Caridaoan that he did not impose any arrangement to maintain his relationship with both AAA and Michelle at the same time. While there may have been instances that Caridaoan may have visited AAA in her home, as AAA asserted, to the Court's mind, these may have been borne out of necessity in managing their business and assisting AAA during her recovery.

Verily, taken together, these circumstances established by the prosecution's own evidence, which both the RTC and the CA overlooked, completely negate the existence of a guilty mind on the part of Caridaoan. The element of *mens rea* is undoubtedly inexistent in this case.

⁷⁵ TSN, AAA, October 6, 2011, p. 13.

⁷⁶ *Id.* at 15.

⁷⁷ *See id.* at 16–17.

⁷⁸ *Id.* at 18.



Lastly, there is reasonable doubt that AAA's mental and emotional distress were caused by or directly attributable to the alleged acts of Caridaoan.

In the case of *XXX261920*, apart from the absence of criminal intent, the Court acquitted the accused because the prosecution failed to prove the indubitable nexus between the act complained of and the alleged mental or emotional anguish suffered by the woman. The Court found the psychological assessment of the victim and her testimony reference a general pattern of abuse and neglect and that the events before or after the acts alleged in the Information therein could have equally caused the mental and emotional anguish of the victim.

Similar to the foregoing, while the prosecution has shown that AAA experienced mental and emotional distress, AAA's Psychological Report⁷⁹ did not categorically establish that her high level of anxiety and depression were directly attributable to Caridaoan's act of flaunting his relationship with Michelle to AAA or excluding AAA from the income and affairs of the business. The report simply stated that AAA "exhibits considerable hostile feelings and aggressive impulses which are possibly directed to her live-in partner and secretary," and that her emotional functioning characterized by high level of anxiety, hostility, weakness, and low self-esteem may have been brought by her reported experience of being left by her live-in partner in favor of another woman.⁸⁰

Likewise, in her testimony,⁸¹ Dr. Rizza Alma C. Manao (Dr. Manao), the psychologist who examined AAA, confirmed that her diagnosis of AAA's mental and emotional condition was solely based on AAA's own account of the events—that Caridaoan had a mistress living with them and he excluded AAA from their business. Dr. Manao acknowledged that she has no information about other circumstances relevant to the case such as, who hired Michelle as stay-in secretary and how their living arrangement was agreed upon; or how AAA learned about the relationship between Caridaoan and Michelle; or that Caridaoan also provided AAA financial support for her heart surgery and medications. That these established facts were not considered during AAA's psychological assessment undermines the reliability and trustworthiness of its results, and in turn, the conclusion that Caridaoan was the cause of AAA's mental and emotional anguish. To be sure, Dr. Manao admitted that withheld information during consultations can materially affect the result of the assessment.⁸²

Indeed, jurisprudence teaches that "[a]n allegation, or even a testimony, that an act was done should never be hastily accepted as proof that it was

⁷⁹ Records, pp. 181–184.

⁸⁰ *Id.* at 183.

⁸¹ See TSN, Dr. Manao, December 1, 2011, pp. 1–28.

⁸² *Id.*

really done. Evidence adduced must be closely examined under the lens of a judicial microscope to ensure that conviction only flows from moral certainty that guilt has been established by proof beyond reasonable doubt.”⁸³

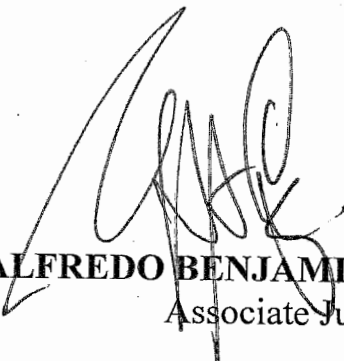
In this case, the evidence of the prosecution did not meet this quantum of evidence necessary for conviction. The prosecution fell short of proving that Caridaoan willfully and deliberately caused AAA mental or emotional anguish, public ridicule, or humiliation through the acts alleged in the Information.

Truly, ending a relationship is heartbreaking and causes one to experience, among others, emotional distress, anxiety, and depression. However, that the woman experiences mental or emotional distress in a relationship does not automatically translate to a crime of psychological violence and criminal liability under Republic Act No. 9262. Emotional anguish and mental distress experienced in intimate relationships is not the gravamen of the crime. What gives rise to criminal liability under Republic Act No. 9262 is the offender’s act of deliberately and willfully causing a woman mental or emotional anguish, public ridicule, or humiliation, which the prosecution failed to prove in this case.

ACCORDINGLY, the instant Petition for Review on *Certiorari* is **GRANTED**. The Decision dated March 18, 2016 and Resolution dated October 24, 2016 of the Court of Appeals, Thirteenth Division, Manila in CA-G.R. CR No. 36759 are hereby **REVERSED** and **SET ASIDE**. Accordingly, petitioner Ronel Caridaoan y Calipio is **ACQUITTED** of the crime charged for failure of the prosecution to prove his guilt beyond reasonable doubt.

Let entry of final judgment be issued immediately.

SO ORDERED.



ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

⁸³ *Magsumbol v. People*, 748 Phil. 826, 837 (2014) [Per J. Mendoza, Second Division].

WE CONCUR:


HENRI JEAN PAUL B. INTING
Associate Justice

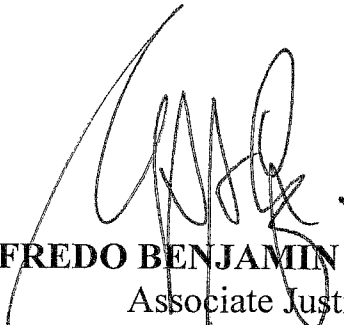

JAPAR B. DIMAAMPAO
Associate Justice


JOSE MIDAS P. MARQUEZ
Associate Justice

(On leave)
MARIA FILOMENA D. SINGH
Associate Justice

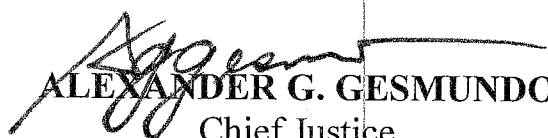
ATTESTATION

I attest 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.


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
Chairperson, Third Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairperson's Attestation, it is hereby certified 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.


ALEXANDER G. GESMUNDO
Chief Justice