



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

PEOPLE OF THE G.R. No. 257662
PHILIPPINES

Plaintiff-appellee, Present:

- versus -

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

Promulgated:

XXX257662,*

Accused-appellant.

JUL 07 2025

Misael B. B. Batt

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DECISION

INTING, J.:

Before the Court is an ordinary Appeal¹ of the Decision² dated February 22, 2021, of the Court of Appeals (CA) in CA-G.R. CR-HC

* The identity of the victim or any information to establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. (RA) 8505, entitled "Rape Victim Assistance and Protection Act of 1998," approved on February 13, 1998; and Amended Administrative Circular No. 83-2015 dated September 5, 2017, Subject: Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances.

** On leave.

¹ *Rolla*, pp. 4–6. See Notice of Appeal dated March 31, 2021.

² *Id.* at 10–24. Penned by Associate Justice Dorothy P. Montejo-Gonzaga and concurred in by Associate Justices Gabriel T. Ingles and Bautista G. Corpin, Jr. of the Eighteenth Division, Court of Appeals, Cebu City.

No. 03486. The CA affirmed the Judgment³ dated June 17, 2019, of Branch ■, Regional Trial Court (RTC), ■ City in Criminal Case No. 2013-05-360 that found XXX257662 (accused-appellant) guilty beyond reasonable doubt of Rape under Article 266-A, paragraph 1(a), in relation to Article 266-B, of the Revised Penal Code, as amended by Republic Act No. 8353.⁴

The Antecedents

The case stemmed from an Information⁵ charging accused-appellant with the crime of Rape:

That on or about the 25 [sic] day of August, 2012 in the Municipality of ■, Province of Leyte, Philippines, and within the jurisdiction of this Honorable court, the above-named accused, by means of force and intimidation, did then and there wilfully, unlawfully and feloniously have carnal knowledge of one [AAA], then a 13 year-old girl[,]⁶ against her will and without her consent, which sexual abuse is prejudicial to the development of the child.

ACT CONTRARY TO LAW.⁷

Upon arraignment, accused-appellant entered a plea of “Not Guilty” to the crime charged.⁸

Trial on the merits ensued.

The Version of the Prosecution

On August 25, 2012, at around 3:00 p.m., AAA, then 12 years old,⁹ was outside the house of her neighbor, BBB; she was looking for her older brother, who was having a drinking spree. While she was there, accused-appellant approached AAA and asked if she wanted to learn how to drive a motorcycle.¹⁰ She agreed. Accused-appellant then gave her instructions

³ *Id.* at 27–37. Penned by Acting Presiding Judge Georgina Uy Perez.

⁴ The Anti-Rape Law of 1997, approved on September 30, 1997.

⁵ RTC records, pp. 7–8.

⁶ *Rollo*, p. 33. Per RTC Judgment, AAA was 12 years old at the time of the incident. Documentary Exhibits, p. 18, Birth Certificate of AAA; TSN, AAA, August 17, 2015, p. 3.

⁷ RTC records, p. 7.

⁸ *Id.* at 21. See RTC Order dated January 6, 2015.

⁹ Documentary Exhibits, p. 18. See Birth Certificate of AAA; TSN, AAA, August 17, 2015, p. 3.

¹⁰ *Rollo*, p. 30.

on how to drive the motorcycle. However, AAA told him that she was hesitant to learn how to drive; thus, she asked him to drive the motorcycle instead.¹¹ AAA then rode the motorcycle with accused-appellant as the driver.

Upon reaching a grassy area, accused-appellant stopped the motorcycle and disembarked. AAA asked why they stopped, but rather than responding, accused-appellant punched her in the abdomen, causing her to fall to the ground. While she was on the ground, he removed her shorts. She begged the accused-appellant to let her stand, and the latter agreed. As soon as she got up, she attempted to escape. Accused-appellant quickly caught her, punched her again in the abdomen, and pushed her back to the ground.¹²

While she was lying on the ground, accused-appellant held her knees, spread her legs, and forcibly inserted his penis into her vagina. Following the assault, she experienced pain and felt a warm, sticky fluid in her genital area. Accused-appellant then instructed her to put her clothes back on and threatened to kill her if she disclosed the incident to her parents. Thereafter, they rode the motorcycle back home. When she got home, she did not tell anyone about what had transpired due to fear brought about by accused-appellant's threats.¹³

AAA's parents noticed a change in her behavior and observed that she appeared to be in a state of "shock." When they confronted her, she initially gave other explanations for her demeanor. However, after her parents persisted on questioning her, AAA eventually told her parents about the rape incident.¹⁴ Subsequently, they proceeded to the police station to report the rape.¹⁵

On October 23, 2012, Dr. Ma. Teresa Lita (Dr. Lita) conducted a physical and medical examination on AAA. Dr. Lita found that AAA had an incompletely healed laceration at the 7 o'clock position of the hymen.¹⁶

¹¹ *Id.* at 12.

¹² *Id.*

¹³ *Id.* at 30.

¹⁴ *Id.* at 41–42.

¹⁵ Documentary Exhibits, p. 17. *See* Certification dated December 3, 2012.

¹⁶ *Id.* at 16. *See* Medico-Legal Report dated October 23, 2012. Signed by Glenn Labnao, M.D., Surgery Department and Ma. Teresa L. Lita, M.D., OB-GYNE Department.

The Version of the Defense

Accused-appellant denied the allegations against him and asserted that AAA's father is his cousin. He averred that on August 25, 2012, he was at BBB's house when one of his cousins, CCC, requested him to buy *tuba* (coconut wine). Thereafter, he invited AAA to accompany him to run the errand. AAA agreed because she also wanted to learn how to drive a motorcycle. They were to purchase the *tuba* from a store located about 50 meters from BBB's house.¹⁷

Accused-appellant further asserted that on their way back, it was AAA who was already driving the motorcycle. However, she lost control and crashed the vehicle. He then immediately picked up the motorcycle and drove it back to BBB's house.¹⁸

Lastly, accused-appellant averred that the allegation of rape was fabricated. He argued that AAA may have been motivated by a desire for revenge, as he had reprimanded her in May 2012, and had previously inflicted physical harm on her brother back in 2010.¹⁹

The Ruling of the RTC

In the Judgment²⁰ dated June 17, 2019, the RTC found accused-appellant guilty beyond reasonable doubt of Simple Rape and decreed as follows:

WHEREFORE, premises considered, judgment is hereby rendered finding the accused [XXX257662] guilty beyond reasonable doubt of Simple Rape. He is hereby sentenced to suffer the penalty of *reclusion perpetua* and to pay the private offended party [AAA] [PHP] 75,000.00 as civil indemnity, [PHP] 75,000.00 as moral damages[,] and [PHP] 75,000.00 as exemplary damages. All such amounts will earn interest of 6% per annum from the finality of this Judgment until full payment.

In the service of his sentence, accused shall be credited in full of the time of his preventive imprisonment, if he agreed voluntarily to abide by the rules imposed upon convicted prisoners.

¹⁷ *Rollo*, p. 13.

¹⁸ *Id.* at 13–14.

¹⁹ *Id.* at 14.

²⁰ *Id.* at 27–37.

....

SO ORDERED.²¹

The RTC held that the prosecution proved accused-appellant's guilt of rape beyond reasonable doubt. It ratiocinated that: (1) accused-appellant had carnal knowledge of AAA, as sufficiently established by the latter's credible testimony, which was further corroborated by the medical findings of Dr. Lita; and (2) the act was committed through the use of force or intimidation. It held that accused-appellant's act of punching AAA in the abdomen before removing her clothes demonstrated the employment of force.²²

Aggrieved, accused-appellant appealed to the CA.²³

The Ruling of the CA

In the assailed Decision²⁴ dated February 22, 2021, the CA affirmed the conviction of accused-appellant. It agreed with the RTC that the guilt of the accused-appellant for rape was proved beyond reasonable doubt. The *fallo* of the Decision reads:

WHEREFORE, in view of the foregoing, the Judgment promulgated on June 17, 2019 of Branch ■ (Family Court), Regional Trial Court of ■ City, convicting accused-appellant [XXX257662] of the crime of Simple Rape in Criminal Case No. 2013-05-360 is hereby AFFIRMED.

SO ORDERED.²⁵

Thus, accused-appellant filed an appeal.²⁶

When required by the Court to submit supplemental briefs,²⁷ both the People,²⁸ through the Office of the Solicitor General (OSG), and

²¹ *Id.* at 37.

²² *Id.* at 36.

²³ RTC records, pp. 145–146. *See* Notice of Appeal dated August 5, 2019.

²⁴ *Rollo*, pp. 10–24.

²⁵ *Id.* at 23.

²⁶ *Id.* at 4–6. *See* Notice of Appeal dated March 31, 2021.

²⁷ *Id.* at 43–44. *See* Resolution dated September 19, 2022.

²⁸ *Id.* at 61–65. *See* Manifestation (In Lieu of Supplemental Brief) dated December 1, 2023.

accused-appellant,²⁹ manifested that their Briefs filed before the CA sufficiently argued their respective positions.

In his Brief, accused-appellant argued that: *first*, AAA's testimony was doubtful. He averred that her emotions and facial expressions while narrating the alleged rape incident negated the emotional distress typically experienced by rape victims.³⁰ And *second*, AAA's allegation of being punched in the abdomen was nothing but a self-serving and biased testimony, as the prosecution failed to provide any other proof. Hence, the court a quo erred in holding that the employment of force and intimidation was sufficiently proven.³¹

As for the OSG, it argued that the court a quo correctly convicted accused-appellant of rape because his guilt was proved beyond reasonable doubt through AAA's credible testimony.³²

The Issue

The core issue for the Court's consideration is whether accused-appellant is guilty beyond reasonable doubt of the crime of Rape.

The Ruling of the Court

The Appeal is without merit.

Settled is the rule that the factual findings of the trial court are entitled to great weight and respect, if not finality, especially when they are affirmed by the appellate court.³³ Such findings are generally considered binding on the Court, provided that they are not tainted by glaring errors, a gross misapprehension of facts, or conclusions that are speculative, arbitrary, and unsupported by the evidence.³⁴ As the Court is not a trier of facts, it will not reexamine the trial court's findings and appreciation of the evidence *except* when the peculiar circumstances

²⁹ *Id.* at 49–52. See Manifestation (In Lieu of Supplemental Brief) dated February 9, 2023.

³⁰ CA rollo, pp. 23–25. (Emphasis supplied)

³¹ *Id.* at 31. (Emphasis supplied)

³² *Id.* at 54.

³³ *Laconsay v. People of the Philippines*, G.R. No. 259861, October 21, 2024, citing *Villarba v. Court of Appeals*, 874 Phil. 84, 108 (2020).

³⁴ *Villarba v. Court of Appeals*, 874 Phil. 84, 108 (2020), citing *People v. Daramay, Jr.*, 431 Phil. 715, 727 (2002).

of the case so warrant.³⁵

In the case, the Court finds no cogent reason to overturn the *uniform* factual findings of the RTC and the CA, as it was not shown that the lower courts had overlooked, misunderstood, or misappreciated facts or circumstances of weight that could have altered the result of the case.³⁶

Accused-appellant was charged with Rape under Article 266-A of the Revised Penal Code, as amended, which provides as follows:

ARTICLE 266-A. *Rape: When and How Committed.* – Rape is committed:

- 1) By a man who shall have carnal knowledge of a woman under any of the following circumstances:
 - a) Through force, threat, or intimidation;
 - b) When the offended party is deprived of reason or otherwise unconscious;
 - c) By means of fraudulent machination or grave abuse of authority;
 - d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

Thus, for a successful prosecution of the crime of Rape, the prosecution must establish the following elements with moral certainty: (a) the offender is a man who had carnal knowledge of a woman; and (b) he accomplished this act under the circumstances mentioned under Article 266-A, paragraph 1 of the Revised Penal Code,³⁷ e.g., the act is committed through force, threat, or intimidation.

Simply stated, the gravamen of the crime of Rape is carnal knowledge of a man with a woman by force or *without* consent.³⁸

³⁵ *Senator Trillanes IV v. Hon. Medialdea*, G.R. Nos. 241494, 256660 & 256078, April 3, 2024. *See also* *Bautista v. Spouses Balolong*, 879 Phil. 53, 63 (2020). (Emphasis supplied)

³⁶ *People v. Bacyaan*, 863 Phil. 656, 666 (2019). (Emphasis supplied)

³⁷ *Romero v. People*, G.R. No. 267093, May 29, 2024, *citing* *People v. Ejercito*, 834 Phil. 837, 853 (2018). *See also* *People v. Tubillo*, 811 Phil. 525, 532–533 (2017); *People v. Court of Appeals*, 755 Phil. 80, 103 (2015); *People v. Padigos*, 700 Phil. 368, 376–377 (2012); *People v. Manjares*, 677 Phil. 242, 258 (2011); *People v. Limos*, 465 Phil. 66, 77 (2004).

³⁸ *People v. Hernandez*, G.R. No. 265754, February 5, 2024, *citing* *People v. XXX*, 944 Phil. 517, 525 (2023). (Emphasis supplied)

Here, the prosecution established that accused-appellant had carnal knowledge of AAA. She testified that accused-appellant punched her in the abdomen which caused her to fall to the ground, removed her shorts and underwear, and took advantage of her by inserting his penis into her vagina. She testified as follows:

Q: While [XXX257662] was driving, where were you positioned?

A: Behind him.

. . . .

Q: While [XXX257662] was driving. . . what happened if any?

A: He told me we would negotiate the road cemented.

Q: Did you in fact used that [c]emented road?

A: Actually no. . .

Q: And what happened next if any?

A: He stopped in a grassy portion.

Q: When [XXX257662] stopped the motorcycle in a grassy portion[,] what did you do if any?

A: I alighted from the motorcycle and distance [myself] from him and asked why we were there.

Q: And what was the reply of [XXX257662]?

A: He did not reply[,] instead he punched my abdomen.

Q: You said you distance [from] [XXX257662] when you embarked [sic], how did he punch your stomach?

A: He approached me.

Q: When he punched your abdomen[,] what happened to you?

A: I fall to the ground.

Q: Why did you fall?

A: Because of the impact of his punch.

Q: When you fall to the ground[,] what happened if any?

A: He removed my shorts.

Q: How about you[,] what did you do when he pulled your shorts down?

A: I told him "Kuya let me stand first".

Q: And did he heed your plea?

A: Yes.

Q: And when you were standing up, what happened next if any?

- A: When I was already standing[,] I ran fast to escape.
- Q: And what happened while you were running to escape from him?
- A: He also ran and was able to hold my left hand.
....
- Q: And when he [was] able to hold your left hand, what happened next if any?
- A: After he held my hand[,] he suddenly punch[ed] my abdomen.
- Q: When he punched your abdomen again[,] what happened to you?
- A: He pushed me and I fell to the ground again.
- Q: When you fell to the ground, what happened next if any?
- A: When I fell to the ground[,] he was removing my clothes and I shout[ed] for help.
....
- Q: Because you fell down again and he tried to pull off your clothes and you shouted for help but no people around, what did he do while he was pulling your clothes?
- A: I was crying and kept pleading that he would not do what he want me to do. [sic]
- Q: What happened to your clothes?
- A: He removed my shorts and panty.
....
- Q: When you were already naked[,] what [XXX257662] do if any?
- A: He forcibly inserted his penis into my vagina[.]
....
- Q: [W]hat was your position at the point in time?
- A: I was lying down, I was [profusely] crying. After he punched my abdomen again[,] I fell to the ground[,] and he forcibly removed my shorts and forced his penis to my vagina. While I was lying on the ground[,] he tried to open my legs.
....
- Q: Did you not resist?
- A: I tried to resist[,] but because of the heavy punch he did to my abdomen[,] I became weak.³⁹

³⁹ TSN, AAA, August 17, 2015, pp. 5–11.



Indeed, AAA categorically identified accused-appellant as the one who raped her. Her candid and straightforward narration of the sexual assault unmistakably deserves credence.⁴⁰ Further, it is settled that “[y]outh and immaturity are generally badges of truth and sincerity.”⁴¹ Moreover, no woman, much less a child, would make a story of defloration, allow an examination of her private parts and subject herself to public trial.⁴²

To exculpate himself from criminal liability, accused-appellant argued that: *first*, the medical findings of Dr. Lita should not be accorded weight, as such findings do not conclusively establish that they were caused by the sexual abuse that he allegedly committed against AAA.⁴³ And *second*, AAA was impelled by improper motives to file the rape charge against him.⁴⁴

The Court, however, is not persuaded.

Pertinently, AAA’s credible testimony is reinforced by the medical findings of Dr. Lita, which revealed an incompletely healed laceration located at the 7 o’clock position of her hymen at the time of the examination.⁴⁵ While it is true that a medical examination of the victim is *not* indispensable in the prosecution for Rape, it may serve to corroborate the testimony of the victim,⁴⁶ as in this case.

Besides, as enunciated by the Court in *People v. Olpindo*,⁴⁷ “the accused in a rape case may be convicted based *solely* on the testimony of the victim, provided that such testimony is credible, natural, convincing, and consistent with human nature and the normal course of things.”⁴⁸ In other words, *even if* the Court disregards the medical findings of Dr. Lita, accused-appellant’s conviction of the crime charged is still warranted given AAA’s credible testimony.

⁴⁰ *People v. Bersabe*, 352 Phil. 521, 532 (1998); *People v. Gecomio*, 324 Phil. 297, 312 (1996); *People v. Guibao*, 291 Phil. 63, 72 (1993).

⁴¹ *People v. ABC*, 867 Phil. 996, 1010 (2019).

⁴² *Id.*

⁴³ *CA rollo*, pp. 27–30. (Emphasis supplied)

⁴⁴ *Id.* at 34–35. (Emphasis supplied)

⁴⁵ *Rollo*, p. 20.

⁴⁶ *People v. Gapasan*, 312 Phil. 964, 973 (1995). (Emphasis supplied)

⁴⁷ 919 Phil. 1024 (2022).

⁴⁸ *Id.* at 1048–1049 (2022), citing *People v. Linsie*, 722 Phil. 374, 382–383 (2013). (Emphasis supplied)

Moreover, the accused-appellant's defense of denial is inherently weak and constitutes self-serving negative evidence, which *cannot* prevail over his positive identification as the perpetrator of the crime.⁴⁹ He also failed to present any evidence to prove that the victim had any ill motive to file a charge against him.⁵⁰ As enunciated in the case of *People v. Santos*,⁵¹ the Court ruled that:

Much less convincing is appellant's proposition that ill feelings and ill motives of the victim's mother impelled the filing of the charges against him. Ill-motives become inconsequential where there are affirmative or categorical declarations establishing appellant's accountability for the felony. We have, furthermore, observed not a few persons convicted of rape have attributed the charges against them to family feuds, resentment or revenge. However, as borne out by a plethora of cases, family resentment, revenge or feuds have never swayed us from giving full credence to the testimony of a complainant for rape, especially a minor who remained steadfast and unyielding throughout the direct and cross-examination that she was sexually abused. It would take a certain degree of perversity on the part of a parent, especially a mother, to concoct a false charge of rape and then use her daughter as an instrument to settle her grudge.⁵² (Citations omitted)

Concomitantly, the prosecution was able to establish that the element of force was present. It is not required that the force or intimidation employed be so great that it is irresistible; it need only be sufficient to accomplish the purpose of accused-appellant.⁵³ As narrated by AAA, accused-appellant held her hand, punched her in the abdomen, and pushed her to the ground.⁵⁴ These acts demonstrate that force was present to consummate the crime of Rape.

In sum, accused-appellant's guilt of Rape was proved beyond reasonable doubt. Thus, the Court finds no reversible error on the part of the CA in affirming accused-appellant's conviction.

The proper nomenclature of the crime is Rape, not Simple Rape

⁴⁹ *People v. Ybañez*, 902 Phil. 228, 238 (2021). (Emphasis supplied)

⁵⁰ See *People v. Bersabe*, *supra* note 40.

⁵¹ 532 Phil. 752 (2006).

⁵² *Id.* at 767.

⁵³ *Id.*

⁵⁴ *Rollo*, p. 12; TSN, AAA, August 17, 2015, pp. 5–11.

The Court takes this opportunity to clarify that the proper nomenclature for crimes defined and penalized under Article 266-A of the Revised Penal Code is Rape and not “*Simple Rape*.” After all, there is nothing “simple” about Rape and referring to it in such a manner downplays its severity and desensitizes the public to the harm it inflicts.

Notably, Rape was originally classified as a *Crime Against Chastity* under Article 335 of the Revised Penal Code. However, with the enactment of Republic Act No. 8353, or the Anti-Rape Law of 1997, it was reclassified as a *Crime Against Persons*, marking a paradigm shift in the legal and societal understanding of the criminal offense. This legislative reclassification affirms that Rape is a serious crime that directly inflicts harm and trauma—both physical and psychological—upon the victim. Viewed in this context, Rape must *never* be trivialized as “*simple*,” least of all in the official nomenclature adopted in judicial decisions.

The penalty and award of damages

As it now stands, accused-appellant is criminally liable of Rape under Article 266-A, paragraph 1(a), penalized under Article 266-B of the Revised Penal Code, viz.:

ARTICLE 266-B. *Penalties*. – Rape under paragraph 1 of the next preceding article shall be punished by *reclusion perpetua*.

Thus, the lower courts aptly imposed the penalty of *reclusion perpetua* against accused-appellant. As to the award of damages, the courts *a quo* correctly imposed PHP 75,000.00 as civil indemnity; PHP 75,000.00 as moral damages; and PHP 75,000.00 as exemplary damages, all with legal interest at the rate of 6% per annum reckoned from the date of the finality of this Decision, until fully paid.⁵⁵

Lastly, as part of the government’s efforts to provide comprehensive services to meet the needs of rape victims and their families, the Court directs the Department of Social Welfare and Development to refer AAA to the proper rape crisis center for necessary assistance. Such assistance may include: (1) providing her psychological

⁵⁵ *People v. Jugueta*, 783 Phil. 806, 849 (2016).

counseling, medical and health services, including medico-legal examination; (2) ensuring her privacy and safety; (3) providing psychological counseling and medical services whenever necessary for her family; and (4) adopting and implementing programs for her recovery.⁵⁶

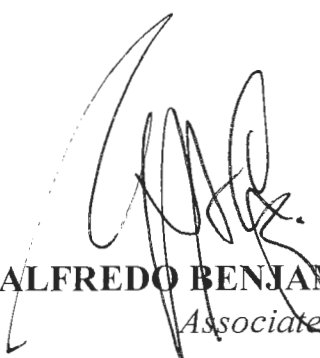
ACCORDINGLY, the Appeal is **DISMISSED**. The Decision dated February 22, 2021, of the Court of Appeals in CA-G.R. CR-H.C. No. 03486 is **AFFIRMED**. Accused-appellant XXX257662 is found **GUILTY** of Rape. He is **SENTENCED** to suffer the penalty of *reclusion perpetua* and **ORDERED** to **PAY** AAA PHP 75,000.00 as civil indemnity, PHP 75,000.00 as moral damages, and PHP 75,000.00 as exemplary damages. The amounts shall earn interest at the rate of 6% per annum from the date of the finality of this Decision until fully paid.

The Department of Social Welfare and Development is **DIRECTED** to refer AAA to the appropriate rape crisis center for the necessary assistance to be rendered to the victim and her family, in line with Republic Act No. 8505 or the “Rape Victim Assistance and Protection Act of 1998.”

SO ORDERED.


HENRI JEAN PAUL B. INTING
Associate Justice

WE CONCUR:


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

⁵⁶ REPUBLIC ACT NO. 8505, sec. 3.

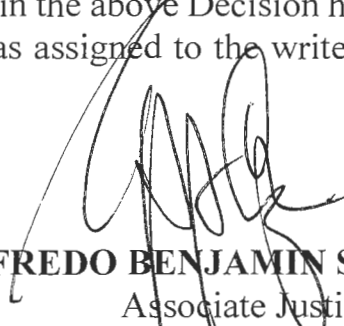

SAMUEL H. GAERLAN
Associate Justice


JAPAR B. DIMAAMPAO
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, 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.


ALEXANDER G. GESMUNDO
Chief Justice