



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated 04 August 2021 which reads as follows:*

**“G.R. No. 252673 (*People of the Philippines v. William Madrid y De Guzman a.k.a “Willy”*)**. – Assailed in this ordinary appeal is the Decision<sup>1</sup> dated December 18, 2019 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 12074, which affirmed the Decision<sup>2</sup> dated September 19, 2018 of the Regional Trial Court (RTC) of ██████████ Pangasinan – Branch 68 in Criminal Case No. L-11703 finding accused-appellant William Madrid y De Guzman a.k.a “Willy” (accused-appellant), guilty beyond reasonable doubt of Statutory Rape as defined and penalized under Article 266-A, Section 1, paragraph (d) and penalized under Article 266-B of the Revised Penal Code (RPC) as amended by Republic Act (R.A.) No. 8353, and meted with the penalty of *reclusion perpetua* without eligibility for parole.

**The Facts**

This case stemmed from an Information dated May 24, 2017 filed before the RTC, each charging accused-appellant with the crime of Statutory Rape committed against “AAA”,<sup>3</sup> a child below twelve (12) years of age, the accusatory portion of the Information reads:

That sometime in the evening of April 9, 2017, in x x x Pangasinan, and within the jurisdiction of this Honorable Court, the above-named

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<sup>1</sup> *Rollo*, pp. 3-16; penned by Associate Justice Jane Aurora C. Lantion and concurred in by Associate Justices Marie Christine Azcarraga-Jacob and Ronaldo Roberto B. Martin.

<sup>2</sup> *CA rollo*, pp. 42-49; penned by Presiding Judge Maria Laarni R. Parayno.

<sup>3</sup> 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) 7610, “An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation and for Other Purposes”; RA 9262, “An Act Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes”; Section 40 of Administrative Matter No. 04-10-11-SC, known as the “Rule on Violence against Women and Their Children,” effective November 15, 2004; *People v. Cabalquinto*, 533 Phil. 703 (2006); 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.

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accused, did, then and there[,] willfully, unlawfully and feloniously have carnal knowledge of a sexual intercourse with AAA, a child below twelve (12) years of age, to her damage and prejudice.

Contrary to Article 266-A (d) in relation to Article 266-B of the Revised Penal Code as amended.<sup>4</sup>

### **Version of the Prosecution**

During trial, the prosecution presented the following witnesses: (1) private complainant, AAA; (2) her brother, BBB; (3) her mother, CCC; (4) Dr. Gwendolyn Luna; and (5) Dr. Michelle Bauzon (Dr. Bauzon), both from the Region 1 Medical Center, [REDACTED]. The prosecution dispensed with the presentation of the testimony of Police Officer 2 Liza Desola after the defense admitted that the Certification issued by the police contains a faithful reproduction of the entries in the police blotter.<sup>5</sup> In addition, the prosecution presented in evidence AAA's Certificate of Live Birth, which established that she was only ten (10) years old at the time of the incident.<sup>6</sup>

On April 9, 2017 at around 8 o'clock in the evening, AAA, who was then ten (10) years old at the time, was outside in front of her house playing. Accused-appellant called her attention and when AAA approached him, he pulled her towards the back of the house of his nephew. The back of the house was dark and around ten (10) meters away from the front of their house.<sup>7</sup>

Accused-appellant then removed AAA's short pants and undressed himself before forcing AAA to bend forward by holding her head. It was in this position that appellant inserted his penis into her vagina while he was behind her. Accused-appellant forced himself on AAA for about an hour. Afterwards, appellant pulled up AAA's shorts and told her to go home.<sup>8</sup>

When AAA arrived at their house, her brother BBB asked her why there was blood on her shorts, and she said that accused-appellant raped her.<sup>9</sup>

### **Version of the Defense**

On the other hand, the defense only presented the sole testimony of accused-appellant. In the main, accused-appellant only proffers the defenses of denial and alibi; denying the allegation of rape against him and insists that the incidents mentioned by AAA did not occur, as he never saw AAA on April

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<sup>4</sup> CA rollo, p. 42.

<sup>5</sup> Id. at. 43.

<sup>6</sup> Rollo, p. 9.

<sup>7</sup> Id. at 5

<sup>8</sup> Id.

<sup>9</sup> Id.

9, 2017 as he was allegedly in his house looking after his nephews having a drinking spree.<sup>10</sup>

### The Ruling of the RTC

In a Decision<sup>11</sup> dated September 19, 2018, the RTC found accused-appellant guilty beyond reasonable doubt of statutory rape as defined and penalized under Article 266-A, paragraph 1(d) of the RPC, as amended by R.A. No. 8353, *viz.*:

WHEREFORE, in view of the foregoing, this court hereby finds accused WILLIAM “Willy” MADRID y de Guzman GUILTY beyond reasonable doubt of statutory rape as defined and penalized under Article 266-A, paragraph 1(d) of the Revised Penal Code (as amended by R.A. No. 8353) and is hereby sentenced to suffer the penalty of *reclusion perpetua*; and to pay private complainant, AAA, the amounts of ₱100,000.00 as civil indemnity, ₱100,000.00 as moral damages, and ₱100,000.00 as exemplary damages. The award of damages shall earn interest at the rate of 6% per annum from the date of finality of this Decision until fully paid.

The accused, who is detained, is credited with the number of days he spent under detention, if he is qualified, otherwise, he shall be credited only with four-fifths (4/5) of his preventive imprisonment, pursuant to Article 29 of the Revised Penal Code as amended.

Furthermore, pursuant to Section 3, R.A. 9346, accused WILLIAM “Willy” MADRID y de Guzman is not eligible for parole.

SO ORDERED.<sup>12</sup>

Aggrieved, accused-appellant appealed the RTC’s Decision and elevated his conviction before the CA.<sup>13</sup>

### The Ruling of the CA

In a Decision<sup>14</sup> dated December 18, 2019, the CA affirmed the RTC’s Decision, likewise finding that all the elements of the crime of statutory rape were duly established by the prosecution, *viz.*:

WHEREFORE, the appeal is DENIED. The 19 September 2018 Decision of the Regional Trial Court of ██████████ Pangasinan – Branch 68 in *Criminal Case No. L-11703* is AFFIRMED.

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<sup>10</sup> CA rollo, p. 46.

<sup>11</sup> Id. at 42-49.

<sup>12</sup> Id. at 49.

<sup>13</sup> Id. at 13.

<sup>14</sup> Rollo, pp. 3-16.

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SO ORDERED.<sup>15</sup>

Thereafter, accused-appellant filed a Notice of Appeal<sup>16</sup> dated January 13, 2020 which was given due course by the CA in its Resolution<sup>17</sup> dated March 13, 2020.

In the Resolution<sup>18</sup> dated September 14, 2020, this Court noted the records of the case forwarded by the CA. The parties were then ordered to file their respective supplemental briefs, should they so desire, within thirty (30) days from notice.<sup>19</sup>

On December 29, 2020, accused-appellant filed a Manifestation<sup>20</sup> dated December 28, 2020 stating that he would no longer file a supplemental brief considering that he had exhaustively discussed the assigned errors in his Brief<sup>21</sup> dated May 27, 2019. The Office of the Solicitor General, on behalf of the People of the Philippines filed a similar Manifestation<sup>22</sup> dated January 11, 2021.

In his Brief, accused-appellant assigned several errors on the part of the RTC, to *wit*:

I

THE TRIAL COURT GRAVELY ERRED IN CONVICTING THE ACCUSED-APPELLANT OF STATUTORY RAPE DESPITE THE PROSECUTION WITNESSES' INCOHERENT AND INCREDIBLE TESTIMONIES.

II

THE TRIAL COURT GRAVELY ERRED IN REJECTING THE ACCUSED-APPELLANT'S DEFENSE OF DENIAL.

Accused-appellant is essentially challenging the findings of fact of both the trial court and the appellate court, raising doubts as to the credibility of the witnesses and the weight and credence accorded to the evidence of the prosecution. He highlights that AAA failed to offer any resistance when she was supposedly raped; that she did not report the incident right away.<sup>23</sup>

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

<sup>16</sup> CA *rollo*, pp. 102-104.

<sup>17</sup> Id. at 113.

<sup>18</sup> *Rollo*, pp. 25-26.

<sup>19</sup> Id. at 25.

<sup>20</sup> Id. at 32-34.

<sup>21</sup> CA *rollo*, pp. 29-40.

<sup>22</sup> *Rollo*, pp. 37-39.

<sup>23</sup> CA *rollo*, p. 36.

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### Issue

Whether or not the CA gravely erred in affirming the conviction of accused-appellant for the crime of Statutory Rape

### The Court's Ruling

We are not convinced.

Accused-appellant is charged with statutory rape defined and penalized under Article 266-A, Section 1, paragraphs (d) and penalized under Article 266-B of the RPC.

Rape is defined and penalized as follows under the RPC, as amended:

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; and
- 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.

In this jurisdiction, this Court is guided by the well-established principles laid down in the disposition and review of rape cases, to wit: (1) the prosecution has to show the guilt of the accused by proof beyond reasonable doubt or that degree of proof that, to an unprejudiced mind, produces conviction; (2) the evidence for the prosecution must stand or fall on its own merits and cannot draw strength from the weakness of the evidence of the defense; (3) unless there are special reasons, the findings of trial courts, especially regarding the credibility of witnesses, are entitled to great respect and will not be disturbed on appeal; (4) an accusation for rape can be made with facility; it is difficult to prove but more difficult for the person accused, though innocent, to disprove; and (5) in view of the intrinsic nature of the crime of rape where only two persons are usually involved, the testimony of the complainant must be scrutinized with extreme caution.<sup>24</sup>

In rape cases particularly, the conviction or acquittal of the accused most often depends almost entirely on the credibility of the complainant's testimony. The victim's testimony is most vital and must be received with the

<sup>24</sup> *People v. Alcazar*, 645 Phil. 181, 191-192 (2010), citing *People v. San Antonio, Jr.*, 559 Phil. 188, 201 (2007).

utmost caution and if found credible, the lone testimony is sufficient to sustain a conviction.<sup>25</sup>

In this regard, it is a settled rule that the findings of fact by the trial court should not be disturbed on appeal unless it is shown that the trial court had overlooked certain facts of weight and importance, considering the trial court, is in a better position to evaluate their testimonies.<sup>26</sup>

In *People v. Quintos*,<sup>27</sup> this Court ruled:

The observance of the witnesses' demeanor during an oral direct examination, cross-examination, and during the entire period that he or she is present during trial is indispensable especially in rape cases because it helps establish the moral conviction that an accused is guilty beyond reasonable doubt of the crime charged. Trial provides judges with the opportunity to detect, consciously or unconsciously, observable cues and microexpressions that could, more than the words said and taken as a whole, suggest sincerity or betray lies and ill will. These important aspects can never be reflected or reproduced in documents and objects used as evidence.

Hence, "[t]he evaluation of the witnesses' credibility is a matter best left to the trial court because it has the opportunity to observe the witnesses and their demeanor during the trial. Thus, the Court accords great respect to the trial court's findings,' more so when the Court of Appeals affirmed such findings."<sup>28</sup> (Citations omitted)

After a careful review of the records of the case and the respective testimonies of AAA and accused-appellant, the Court finds AAA's testimony to be credible, truthful, and logical as opposed to the testimony of accused-appellant.

In fact, as observed by the trial court, AAA positively identified accused and her testimony was straightforward.<sup>29</sup>

Q Now madam witness, If I will ask you to identify William or Willy, will you be able to tell or show to court this person?

A Yes mam[.]

Q Could you please look around and tell the court if Willy is inside the court room?

INTERPRETER

Witness pointing to the accused who was wearing orange T shirt and maong pants and when asked of his name he answered William Madrid[.]

<sup>25</sup> *People v. XXX*, G.R. No. 239906, August 26, 2020.

<sup>26</sup> *People v. Dorado*, 140 Phil. 450, 454- 455 (1969). Citation omitted.

<sup>27</sup> 746 Phil. 809 (2014).

<sup>28</sup> Id. at 819-820.

<sup>29</sup> *Rollo*, p. 9.

PROS. RIVERA

Q How do you call him?

A Uncle Willy mam[.]

Q Is he your relative?

A No mam[.]

Q How do you feel with what Willy did to you?

A (no answer)

Q Do you like Willy?

A (no answer)

Q Do you hate Willy?

A Yes mam[.]<sup>30</sup>

Moreover, AAA, was likewise able to candidly and naturally testify what happened during the incident:

Q AAA, the policewoman asked you what happened on April 9, 2017 at about 8 o'clock in the evening, what happened then if you know about the case you filed against William or Willy Madrid?

A I urinated and he saw me, and he told me to buy mighty mam[.]

Q Who is this person who saw you and asked you to buy mighty?

A Willy mam[.]

Q Is he the same William Madrid, the accused in this case?

A Yes mam[.]

Q Before you went to urinate, where did you come from?

A From our house mam[.]

Q When you go out to urinate, you are going out to urinate, you are going out of your house, now my question is, is that place where you are going to urinate, was it in front of your house, the back or on the side of your house?

A In front of our house mam[.]

Q Who were with you when you went out to urinate?

A None mam[.]

Q And you said that this William or Willy you mentioned asked you to buy mighty?

A A cigarette mam[.]

Q When he told you to buy him mighty cigarette, you went near him correct?

A Yes mam[.]

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<sup>30</sup> Id. at 9-10.

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- Q And what happened when you went near him?  
A He pulled me mam[.]
- Q Towards where did he pull you?  
A At the back of the house of his nephew Nardo mam[.]
- Q Are you referring to uncle Nardo?  
A Yes mam[.]
- Q He pulled you at the back of the house of uncle Nardo?  
A Yes mam[.]
- Q Were there people at the back of the house of uncle Nardo?  
A None mam[.]
- Q Was there a light at the back of the house of uncle Nardo?  
A None[.]
- Q What about in front of your house, was there a light?  
A Yes mam[.]
- Q What light was that?  
A The light coming from the kitchen mam[.]
- Q And when William brought you at the back of the house of uncle Nardo, what did he do?  
A He undressed me mam[.]
- Q What were you wearing that he removed from your body?  
A My short pants with marble design, colored pink mam[.]
- Q And were you wearing panty at that time?  
A None mam[.]
- Q You were just wearing short pants?  
A Yes mam[.]
- Q What about on the upper part of your body, what were you wearing?  
A Yellow blouse mam[.]
- Q Did he also remove that yellow blouse?  
A No mam[.]
- Q You said he undressed you, he removed your short pants, did he remove that short pants of your body?  
A He pulled it down mam[.]
- Q After Willy pulled down your short pants, what next did he do to you?  
A He also undressed himself and inserted his penis inside my vagina mam[.]
- Q What was your position when William inserted his penis to your vagina?

- A He asked me to bend forward mam[.]
- Q When he told you to bend forward, you bended?
- A It was the accused who bended me mam[.]
- Q How did he do that?
- A He held my head mam[.]
- Q He held your head and forced you to bend?
- A Yes mam[.]
- Q At that time when you were on bended position the accused holding your head, where was the accused in relation to you?
- A He was behind me mam[.]
- Q What was he doing behind you?
- A He inserted his penis inside my vagina mam[.]
- Q What did you feel at that moment in time when his penis was inserted in your vagina?
- A It is painful mam[.]

## INTERPRETER

Witness pointing to her stomach

## PROS. RIVERA

- Q And could you tell the court how long did he do that to you, inserting his penis to you vagina?
- A One hour mam[.]<sup>31</sup>

The foregoing testimony of AAA was given in a straightforward, convincing, credible and satisfactory manner, which shows no other intention than to obtain justice for the wrong committed by the accused-appellant against her. In particular the RTC observed that AAA testified naturally and was able to vividly recall how accused-appellant sexually abused her<sup>32</sup> and positively identified him during trial.<sup>33</sup> In addition to the positive, natural and categorical testimony of the victim, Dr. Bauzon testified that when AAA came to the Region 1 Medical Center, complaining of vaginal bleeding, Dr. Bauzon examined her and found out that there was laceration on AAA's hymen, which she subsequently treated.<sup>34</sup>

When the offended party is of tender age courts are inclined to give credit to her account of what transpired, considering not only her relative vulnerability but also the shame to which she would be exposed if the matter to which she testified is not true.<sup>35</sup> A young girl's revelation that she had been raped, coupled with her voluntary submission to medical examination and

<sup>31</sup> Id. at 10-12.

<sup>32</sup> CA *rollo*, pp. 46-47.

<sup>33</sup> Id. at 47.

<sup>34</sup> Id. at 44.

<sup>35</sup> *People v. Amaro*, 739 Phil. 170, 178 (2014).

willingness to undergo public trial where she could be compelled to give out the details of an assault on her dignity, cannot be so easily dismissed as mere concoction.<sup>36</sup>

Moreover, accused-appellant's defense of denial and alibi cannot overcome AAA's clear and convincing testimony.

It is undisputed that courts have always viewed the defenses of denial and alibi with considerable caution because they are inherently weak and unreliable, and can be easily made up. These defenses, when unsubstantiated by clear and convincing evidence, are negative and self-serving, and merit no weight in law. They cannot be given greater evidentiary value than the testimony of credible witnesses who testify on affirmative matters.<sup>37</sup>

In the instant case, the prosecution was able to prove beyond reasonable doubt that accused-appellant is guilty of statutory rape, defined and penalized under Article 266-A, Section 1 paragraph (d). Thus, We find no reason to reverse the CA Decision, and accordingly affirm the conviction of accused-appellant.

However, this Court finds it necessary to modify the penalty imposed by the RTC, and affirmed by the CA. The RTC, after finding accused-appellant guilty of statutory rape imposed the penalty of *reclusion perpetua* and stated that pursuant to Section 3, R.A. No. 9346, accused-appellant is not eligible for parole. Notably, under Article 266-A, Section 1 paragraph (d) in connection with Article 266-B, the imposable penalty is *reclusion perpetua* and not death.

Pursuant to Administrative Matter No. 15-08-02-SC, in cases where the death penalty is not warranted, there is no need to use the phrase "without eligibility for parole" to qualify the penalty of *reclusion perpetua*. It is understood that convicted persons penalized with an indivisible penalty, such as *reclusion perpetua* are not eligible for parole.<sup>38</sup> Accordingly, this Court modifies the penalty imposed by the RTC by deleting its reference to R.A. No. 9346.

Moreover, this Court finds it necessary to modify the award of damages in accordance with *People v. Jugueta*,<sup>39</sup> wherein We clarified that for crimes of Rape, where the penalty imposed is *reclusion perpetua*, the civil indemnity and moral damages will be ₱75,000.00 each, and another ₱75,000.00 as exemplary damages in view of the heinousness of the crime and to set an

<sup>36</sup> *People v. Tulagan*, G.R. No. 227363, March 12, 2019.

<sup>37</sup> *People v. Bensig*, 437 Phil. 748, 762 (2002).

<sup>38</sup> *People v. Blanza, Jr.*, G.R. No. 247005, July 1, 2020.

<sup>39</sup> 783 Phil. 806, (2016).

example. Accordingly, we modify the award of civil indemnity, moral damages and exemplary damages to ₱75,000.00 each.

**WHEREFORE**, the findings of fact and conclusions of law of the Court of Appeals are **ADOPTED**. The Decision dated December 18, 2019 of the Court of Appeals in CA-G.R. CR-HC No. 12074 is **AFFIRMED with MODIFICATION**. Accused-appellant is hereby found **GUILTY** beyond reasonable doubt of Statutory Rape as defined and penalized under Article 266-A, Section 1 paragraph (d), and meted with the penalty of *reclusion perpetua*.

Moreover, accused-appellant is **ORDERED** to **PAY** AAA the amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, and ₱75,000.00 as exemplary damages. In line with current jurisprudence, interest at the rate of 6% *per annum* should be imposed on all damages awarded from the date of the finality of this judgment until fully paid.

**SO ORDERED.**" (Rosario, J., designated additional Member per Special Order No. 2835 dated July 15, 2021.)

By authority of the Court:

TERESITA AQUINO TUAZON  
Division Clerk of Court

By:



MA. CONSOLACION GAMINDE-CRUZADA  
Deputy Division Clerk of Court *ff 4/22*

27 APR 2022

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Accused-Appellant  
c/o The Director  
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THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 68  
Lingayen, Pangasinan  
Crim. Case No. L-11703)

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\*with copy of the CA Decision dated 18 December 2019  
*Please notify the Court of any change in your address.*  
GR252673. 8/04/2021(158)URES(m)

PHK