



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated August 15, 2022, which reads as follows:

“G.R. No. 258549 (Rannie Frejas y Paule v. People of the Philippines). — After a review of the records, the Court resolves to DENY the petition for failure to sufficiently show that the Court of Appeals committed any reversible error in its October 29, 2020 Decision¹ and December 14, 2021 Resolution² as to warrant the exercise of the Court’s appellate jurisdiction.

As correctly ruled by the Court of Appeals, all the elements for the crime of Acts of Lasciviousness, in relation to Section 5 (b),³ Article III of Republic Act No. 7610, were proven by the prosecution’s evidence warranting the affirmance of judgment of the courts *a quo* convicting Rannie Frejas y Paule. However, pursuant to Section 31 (f), Article XII of Republic Act No.

¹ *Rollo*, pp. 73-97. Penned by Associate Justice Pedro B. Corales and concurred in by Associate Justices Celia C. Librea-Leagogo and Alfredo D. Ampuan.

² *Id.* at 99-100.

³ Section 5. *Child Prostitution and Other Sexual Abuse.* — Children, whether male or female, who for money, profit, or any other consideration or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

The penalty of *reclusion temporal* in its medium period to *reclusion perpetua* shall be imposed upon the following:

x x x x

(b) Those who commit the act of sexual intercourse of lascivious conduct with a child exploited in prostitution or subject to other sexual abuse; Provided, That when the victims is under twelve (12) years of age, the perpetrators shall be prosecuted under Article 335, paragraph 3, for rape and Article 336 of Act No. 3815, as amended, the Revised Penal Code, for rape or lascivious conduct, as the case may be: Provided, That the penalty for lascivious conduct when the victim is under twelve (12) years of age shall be *reclusion temporal* in its medium period; x x x x

7610, a fine in the amount of Fifteen Thousand Pesos (₱15,000.00) shall also be imposed for every count of acts of lasciviousness.⁴

WHEREFORE, the Petition for Review on *Certiorari* is **DENIED**. The Decision dated October 29, 2020 and the Resolution dated December 14, 2021 of the Court of Appeals in CA-G.R. CR No. 43556 is hereby **AFFIRMED** as follows:

1. In Criminal Case No. 2018-202FC, accused-appellant Rannie Frejas y Paule is **ACQUITTED** from the charge of acts of lasciviousness under Article 336 of the Revised Penal Code in relation to Section 5(b) of Republic Act No. 7610 for failure of the prosecution to prove his guilt beyond reasonable doubt.
2. In Criminal Case Nos. 2018-203FC to 2018-207FC, the indeterminate penalty of twelve (12) years and one (1) day of *reclusion temporal* in its minimum period, as minimum, to fifteen (15) years, six (6) months and twenty (20) days of *reclusion temporal* in its medium period, as maximum imposed by the Regional Trial Court for every count of acts of lasciviousness stands. Accused-appellant Rannie Frejas y Paule is **ORDERED** to **PAY** civil indemnity in the amount of Fifty Thousand Pesos (₱50,000.00), moral damages in the amount of Fifty Thousand Pesos (₱50,000.00), and exemplary damages in the amount of Fifty Thousand Pesos (₱50,000.00) for every count of acts of lasciviousness. In addition, accused-appellant Rannie Frejas y Paule shall pay Fifteen Thousand Pesos (₱15,000.00) as fine for every count of acts of lasciviousness. The amounts awarded shall earn interest at the rate of six percent (6%) per *annum* from the date of finality of this Resolution until fully paid.

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *maria*

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court

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⁴ See *People v. ZZZ*, G.R. No. 232500, July 28, 2020 and *Beleta v. People*, G.R. No. 256849, November 15, 2021, in relation to Sec. 31(f), Art. XII of Republic Act No. 7610.



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(Crim. Case Nos. 2018-202FC
to 2018-207FC)

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