



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **January 25, 2023** which reads as follows:*

“G.R. No. 261281 (*Maria Claudia Belinda C. Lim v. People of the Philippines*). – The Court resolves to **DENY** the Petition for Review on *Certiorari* for failure to sufficiently show any reversible error in the assailed judgment as to warrant the exercise of this Court’s discretionary appellate jurisdiction pursuant to Section 6, Rule 45 of the Rules of Court, and for lack of merit in the appeal pursuant to Sec. 5, Rule 45 in relation to Sec. 5 (b), Rule 56 of the Rules of Court.¹

As correctly held by the Metropolitan Trial Court (MeTC), Regional Trial Court (RTC), and the Court of Appeals (CA), all the elements of the crime of Slight Physical Injuries under paragraph 2, Article 266² of the Revised Penal Code (RPC) were proven by the prosecution’s evidence, warranting affirmance of the judgment of the courts *a quo* convicting petitioner Maria Claudia Belinda C. Lim. The records show that the prosecution was able to prove petitioner’s guilt beyond reasonable doubt. The testimonies of the prosecution witnesses identified petitioner as the assailant. Their testimonies were duly corroborated by the video footage presented by the parties, which clearly showed petitioner punching private complainant Michelle C. Brabante (Michelle) in the face. Hence, it remains undisputed that petitioner physically assaulted Michelle on the date and time of the alleged incident.

¹ *Miranda v. People*, 680 Phil. 126, 134-136 (2012).

² Article 266. *Slight physical injuries and maltreatment*. – The crime of slight physical injuries shall be punished:

x x x x

2. By *arresto menor* or a fine not exceeding 200 pesos and censure when the offender has caused physical injuries which do not prevent the offended party from engaging in his habitual work nor require medical assistance.

x x x x

- over – three (3) pages ...

However, the penalty should be further modified to include the penalty of censure following Art. 266 of the RPC,³ prior to its amendment by Republic Act No. 10951⁴:

ART. 266. *Slight physical injuries and maltreatment.* — The crime of slight physical injuries shall be punished:

X X X X

2. By *arresto menor* or a fine not exceeding 200 pesos and censure when the offender has caused physical injuries which do not prevent the offended party from engaging in his habitual work nor require medical assistance. (Emphasis supplied)

Moreover, pursuant to prevailing jurisprudence, the moral damages awarded to private complainant Michelle in the amount of PHP 5,000.00 shall earn legal interest at the rate of six percent (6%) per *annum* from date of finality of this Resolution until full payment.⁵

WHEREFORE, the Petition for Review on *Certiorari* is **DENIED**. The Decision dated October 19, 2021 and the Resolution dated June 6, 2022 of the Court of Appeals in CA-G.R. SP No. 166251 are **AFFIRMED** with **MODIFICATION**. Petitioner Maria Claudia Belinda C. Lim is found **GUILTY** beyond reasonable doubt of the crime of Slight Physical Injuries under paragraph 2, Article 266 of the Revised Penal Code. Accordingly, she is meted the penalty of **CENSURE** and is ordered to **PAY** the fine of PHP 200.00.

Petitioner Maria Claudia Belinda C. Lim is further ordered to **PAY** Michelle C. Brabante PHP 5,000.00 as moral damages. This amount shall earn six percent (6%) legal interest per *annum* from the finality of this Resolution until fully paid.


³ The applicable law at the time of the commission of the crime, which provides a lower threshold of fine, and thus, more beneficial to the petitioner.

⁴ Entitled "AN ACT ADJUSTING THE AMOUNT OR THE VALUE OF PROPERTY AND DAMAGE ON WHICH A PENALTY IS BASED, AND THE FINES IMPOSED UNDER THE REVISED PENAL CODE, AMENDING FOR THE PURPOSE ACT NO. 3815, OTHERWISE KNOWN AS 'THE REVISED PENAL CODE,' AS AMENDED." Approved: August 29, 2017.

⁵ *People v. Jugueta*, 783 Phil. 806, 854 (2016).

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *321*

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court

321
FEB 01 2023

DIVINALAW
Counsel for Petitioner
8th Floor, Pacific Star Building
Sen. Gil Puyat cor. Makati Avenues
1200 Makati City

Court of Appeals (x)
Manila
(CA-G.R. SP No. 166251)

The Solicitor General
134 Amorsolo Street, Legaspi Village
1229 Makati City

ASPIRAS & ASPIRAS LAW OFFICES
Counsel for Private Complainant
Unit 1009, Prestige Tower
F. Ortigas, Jr. Road, Ortigas Center
1605 Pasig City

The Hon. Presiding Judge
Regional Trial Court, Branch 67
1600 Pasig City
(Crim. Case No. 133490-ROO-OO)

The Hon. Presiding Judge
Metropolitan Trial Court, Branch 71
1600 Pasig City
(Crim. Case No. 133940)

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