



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **December 7, 2022** which reads as follows:*

“G.R. No. 258192 (People of the Philippines, plaintiff-appellee v. Roland Castillo y Bisual, accused-appellant). — For the Court’s resolution is the instant appeal assailing the Decision¹ dated October 28, 2020 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 12131, which affirmed the conviction of accused-appellant Roland Castillo y Bisual (Castillo) for the crime of simple rape of the alleged minor victim, AAA258192,² defined and penalized under Article 266-A(1) of the Revised Penal Code (RPC), as amended by Republic Act No. (RA) 8353,³ otherwise known as “The Anti-Rape Law of 1997.”

The Facts

This case stemmed from three (3) separate, but similarly worded Informations filed before the Regional Trial Court of [REDACTED], Branch 214 (RTC), each charging Castillo of the crime of simple rape of the alleged minor victim, AAA258192, defined and penalized under Article 266-A (1) of the RPC, as amended by RA 8353, the accusatory portions of which read:

¹ *Rollo*, pp. 10-29. Penned by Associate Justice Eduardo B. Peralta, Jr. with Associate Justices Louis P. Acosta and Alfredo D. Ampuan, concurring.

² The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to RA 7610, entitled “AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES,” approved on June 17, 1992; RA 9262, entitled “AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFORE, AND FOR OTHER PURPOSES,” approved on March 8, 2004; and Section 40 of A.M. No. 04-10-11-SC, otherwise known as the “Rule on Violence against Women and Their Children” (November 15, 2004). (See footnote 4 in *People v. Cadano, Jr.*, 729 Phil. 576, 578 [2014], citing *People v. Lomaque*, 710 Phil. 338, 342 [2013]. See also Amended Administrative Circular No. 83-2015, entitled “PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES,” dated September 5, 2017.)

³ Entitled “AN ACT EXPANDING THE DEFINITION OF THE CRIME OF RAPE, RECLASSIFYING THE SAME AS A CRIME AGAINST PERSONS, AMENDING FOR THE PURPOSE ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AND FOR OTHER PURPOSES,” approved on September 30, 1997.

That on or about the ____, in the City of ██████████, Philippines, a place within the jurisdiction of this Honorable Court, the above-named accused, by means of force and intimidation, and inducement, did then and there, willfully, unlawfully and feloniously have carnal knowledge of AAA[258192,] a minor[,] fourteen (14) years old, against her will and consent, to her damage and prejudice.⁴

The prosecution alleged that AAA258192 was born on May 20, 1999 and knew of Castillo as the cousin of BBB258192, the owner of the house where AAA258192's family was renting, and CCC258192, the lessor's sister, who owned the store where Castillo and AAA258192 used to work together. On April 29, 2013, while playing with her siblings, AAA258192 received a text message from Castillo telling her to come over as CCC258192 wanted to tell her something. Moments later, as AAA258192 entered the house, she noticed that no one was home except for Castillo and that the lights were turned off. Castillo, who was hiding from behind the door, surprised AAA258192 and immediately closed the door. AAA258192 was caught off guard and stumbled near the edge of the table. She was pushed and held down by Castillo. After which, Castillo proceeded to remove AAA258192's pants and panty. AAA258192 tried to resist, but to no avail as Castillo displayed his superior strength and continued to pin her down. AAA258192 also shouted but nobody heard her as all the windows were shut. Castillo then went on with his deed and raised AAA258192's legs in order for him to insert his penis into her vagina, resulting in AAA258192 losing consciousness due to the excruciating pain she felt. When AAA258192 regained consciousness, Castillo was already dressed and told her to fix herself and get dressed. Castillo warned her not to tell anybody of what had transpired or else he would kill her.⁵

Thereafter, on May 14, 2013, a similar incident occurred. While AAA258192 was watching television at home, she received a text message from Castillo instructing her to go to the house of CCC258192 or else, he will kill her mother. Terrified, AAA258192 immediately went to the house of CCC258192. Upon her arrival, she noticed that Castillo was the only person in the house, and thereat, Castillo told her to lie down while removing her pants and panty. Castillo likewise stripped down and asked AAA258192 to spread her legs, but AAA258192 refused. This provoked Castillo to spread AAA258192's legs and positioned her knees, touching her breasts in order for Castillo to insert his penis into her vagina. Afterwhich, Castillo initiated push and pull movements causing AAA258192 to cry during the entire ordeal. After satisfying his desires, Castillo told AAA258192 to go home.⁶

Finally, on May 24, 2013, AAA258192 was at home when she again received a text message from Castillo telling her to go to the house of

⁴ For Criminal Case No. MC13-4165-FC, the date is May 24, 2013; for Criminal Case No. MC13-4283-FC, the date is April 29, 2013; and for Criminal Case No. MC13-4286-FC, the date is May 14, 2013 (*Rollo*, pp. 10-11).

⁵ *Rollo*, pp. 12-13.

⁶ *Id.* at 13.

CCC258192, threatening her that he would kill AAA258192's siblings if she disobeyed. AAA258192 reluctantly complied and once there, she was told to lie down. AAA258192 cried as Castillo removed her pants and panty, spread her legs, and inserted his penis into her vagina, only removing it when AAA258192 cried loudly from the pain. Castillo then told AAA258192 to leave and again threatened to kill her if she told anybody about the incident.⁷

After sleepless nights, AAA258192 finally told her mother, DDD258192, about her ordeal under Castillo's hands. They then proceeded to the [REDACTED] Police Station to file a report. AAA258192 was then subjected to a medico-legal examination, which revealed that AAA258192's hymen bore three deep healed lacerations at 3, 6, and 8 o'clock positions, and there was clear evidence of blunt force penetrating genital trauma.⁸

In his defense, Castillo denied all the accusations against him, insisting that AAA258192 was probably raped by one of the boys with whom she flirted with. According to Castillo, AAA258192 was his neighbor and she used to sell hamburgers in their store. Castillo narrated that on May 26, 2013, he was suddenly approached by barangay officials without any explanation and brought him to the police station. Castillo argued that the allegations against him were done in retaliation because AAA258192's family was evicted for nonpayment from the apartment owned by Castillo's relative. CCC258192 likewise testified that she was in her house the whole day and did not notice the presence of Castillo and AAA258192. CCC258192 recounted that she always locked her house and held the keys. EEE258192, the niece of Castillo, likewise testified that AAA258192 confessed to her that Castillo did not rape her and that AAA258192 only obeyed her mother's order to incriminate Castillo. Further, the defense questioned the delay in AAA258192's reporting of the alleged sexual abuse.⁹

The RTC Ruling

In a Joint Decision¹⁰ dated September 12, 2018, the RTC found Castillo guilty beyond reasonable doubt for three (3) counts of rape, and accordingly, sentenced him to suffer the penalty of *reclusion perpetua* for each count, and ordered to pay AAA258192 the amounts of ₱30,000.00 as civil indemnity, ₱30,000.00 as moral damages, and ₱30,000.00 as exemplary damages for each count, plus legal interest on all monetary awards at the rate of 6% per annum from the finality of the ruling until full payment.¹¹

The RTC found that the prosecution, through AAA258192's positive, categorical, and credible narration of the events, had adequately established

⁷ Id. at 13-14.

⁸ *CA rollo*, pp. 54-59.

⁹ Id. at 59-60.

¹⁰ Id. at 53-64. Penned by Presiding Judge Imelda L. Portes-Saulog.

¹¹ Id. at 63-64.

that Castillo had carnal knowledge of AAA258192 on three different occasions, all against her will. In this regard, the RTC pointed out that AAA258192's testimony was consistent with the findings of the medico-legal which revealed that she experienced "blunt force or penetrating genital trauma" which indicates sexual abuse.¹²

Dissatisfied, Castillo appealed to the CA.

The CA Ruling

In a Decision¹³ dated October 28, 2020, the CA affirmed with modification Castillo's conviction, sentencing him to suffer the penalty of *reclusion perpetua*, and ordering him to pay AAA258192 the amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, and ₱75,000.00 as exemplary damages for each conviction of rape, plus legal interest on all monetary awards at the rate of 6% per annum from the finality of the ruling until full payment.¹⁴

Mainly upholding the findings of the RTC, the CA ruled that the prosecution had positively established Castillo as the perpetrator who had carnal knowledge of AAA258192 on all three separate instances, thereby making him criminally liable for simple rape. The CA noted that minor inconsistencies in AAA258192's testimony and the delay in reporting the incident to the police did not detract the CA from giving full weight and credit to her narration of the incidents.¹⁵

Hence, this appeal.

The Issue Before the Court

Whether Castillo is guilty of the crime of simple rape, defined and penalized under Article 266-A(1) of the RPC, as amended by RA 8353.

The Court's Ruling

The appeal is unmeritorious.

The elements of simple rape by sexual intercourse under Article 266-A (1) of the RPC, as amended by RA 8353, are: (1) the offender is a man; (2) the

¹² Id. at 61-64.

¹³ *Rollo*, at pp. 10-29.

¹⁴ Id. at 29.

¹⁵ Id. at 27-29.

offender had carnal knowledge of a woman; and (3) said carnal knowledge was accomplished through force, threat, or intimidation.¹⁶


In this case, the Court agrees with the findings of the courts *a quo* that the prosecution was able to prove, through AAA258192's clear and categorical testimony, that Castillo indeed had carnal knowledge of her on three separate occasions, all through force and intimidation and against her will. On this note, jurisprudence is settled that when a rape victim's allegation is corroborated by a physician's finding of penetration, there is sufficient foundation to conclude the existence of the essential requisite of carnal knowledge.¹⁷

Given the foregoing, the Court finds no reason to deviate from the findings of the RTC, as affirmed by the CA, as there is no indication that it overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case. In fact, the RTC was in the best position to assess and determine the credibility of the witnesses presented by both parties, and hence, due deference should be accorded to the same.¹⁸

FOR THIS REASON, the instant appeal is **DENIED**. The Decision dated October 28, 2020 of the Court of Appeals in CA-G.R. CR-HC No. 12131 is hereby **AFFIRMED**. As such, accused-appellant Roland Castillo y Bisual is found guilty beyond reasonable doubt for three (3) counts of rape. He is sentenced to suffer the penalty of *reclusion perpetua* for each count; and ordered to pay AAA258192 the amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, and ₱75,000.00 as exemplary damages for each conviction of rape, plus legal interest on all monetary awards at the rate of 6% per annum from the finality of the ruling until full payment.

SO ORDERED.”

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court ^{mm} 9/13
13 SEP 2023

¹⁶ See *People v. XXX*, G.R. No. 232308, October 7, 2020.

¹⁷ *Id.*

¹⁸ See *Cahulogan v. People*, 828 Phil. 742 (2018), citing *Peralta v. People*, 817 Phil. 554 (2017).

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THE DIRECTOR (reg)
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HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 214
[REDACTED]
(Crim. Cases Nos. MC13-4165-FC,
MC13-4283-FC & MC13-4286-FC)

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