



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames

*Please take notice that the Court, Third Division, issued a Resolution dated **June 21, 2023**, which reads as follows:*

“G.R. No. 261093 (*People of the Philippines v. Joel Medrano Allim*). – Assailed in this ordinary appeal is the Decision¹ dated October 23, 2020 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 11863, which affirmed with modification the Judgment² dated August 8, 2018 of the Regional Trial Court (RTC) of Calamba City, Branch 37, in Criminal Case No. 23614-2014-C, finding Joel Medrano Allim (accused-appellant) guilty of Rape under Article 266-A, paragraph 1(a) in relation to Article 266-B, paragraph 1 of the Revised Penal Code (RPC).

The Facts

This case stemmed from an Information filed before the RTC, charging accused-appellant with the crime of Rape under Article 266-A of the RPC. The accusatory portion of the Information³ reads:

That on or about October 29, 2014, in the [REDACTED], Province of Laguna and within the jurisdiction of this Honorable Court, the accused, through force, violence and intimidation, did then and there, willfully, unlawfully and feloniously have carnal knowledge of AAA,⁴ a thirteen (13) year-old minor, against her will and without her consent, to the damage and prejudice of the latter.

CONTRARY TO LAW.⁵

¹ *Rollo*, pp. 7-18. Penned by Associate Justice Myra V. Garcia-Fernandez, with Associate Justices Ruben Reynaldo G. Roxas and Florencio M. Mamaug, Jr., concurring.

² *Id.* at 20-29. Penned by Presiding Judge Caesar C. Buenagua.

³ *Id.* at 8-9.

⁴ Pursuant to Our ruling in *People v. Cabalquinto* [533 Phil. 703 (2006)], the real name of the victim-survivor, as well as his/her personal circumstances or any information tending to establish or compromise his/her identity and those of his/her immediate family or household members, shall not be disclosed. See also Supreme Court Amended Circular No. 83-2015 or the Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances, issued on September 5, 2017

⁵ *Rollo*, pp. 8-9.

Upon arraignment, accused-appellant pleaded “not guilty” to the charge. Thereafter, trial ensued.⁶

Version of the Prosecution

During trial, the prosecution presented the following witnesses: (1) private complainant, AAA; (2) the mother of private complainant, BBB; (3) Dr. Maria Cheryl C. Obcemea.⁷

On October 29, 2014, AAA went inside the dark and unlighted comfort room of the public market in ■■■, Laguna to urinate. After urinating and when AAA was about to leave the comfort room, accused-appellant held and brought her to the back of the comfort room.⁸ Accused-appellant removed the undergarments of AAA, and thereafter, removed his own undergarments.⁹ Thereafter, accused-appellant pinned down AAA, and touched her breasts. AAA protested by telling accused-appellant that he would be imprisoned if he would pursue what he intended to do, to which accused-appellant replied, “*wala kang pakialam.*”¹⁰ Accused-appellant then inserted his penis inside the vagina of AAA.¹¹

All of a sudden, AAA heard a man shouting “*Hoy Joel! Itigil mo na ‘yan.*”¹² The man later on identified as Rodolfo or Rudy accompanied both AAA and accused-appellant to the *barangay* to report the incident. At the *barangay*, AAA told everything that transpired between her and accused-appellant while they were at the back of the dark and unlighted comfort room.¹³

Version of the Defense

On the other hand, the defense presented accused-appellant as its sole witness.¹⁴

For his part, accused-appellant denies that the incident occurred and recounted a different version of the facts. On October 29, 2014, accused-appellant went to the comfort room inside the public market to urinate when all of a sudden, Ruben came inside with a lighted flashlight, and that since the comfort room was not lighted, accused-appellant did not notice that AAA was also inside the comfort room; that what Ruben saw when he beamed his flashlight at him was not what it appeared to be; that he was only urinating while AAA stood three meters away from him inside the comfort room; and that he denied having raped AAA.¹⁵

⁶ Id. at 9.

⁷ Id.

⁸ Id.

⁹ Id. at 10.

¹⁰ Id.

¹¹ Id.

¹² Id.

¹³ Id.

¹⁴ Id.

¹⁵ Id. at 11.

Ruling of the RTC

In its Judgment dated August 8, 2018, the RTC found accused-appellant guilty beyond reasonable doubt of Rape under Article 266-A, paragraph 1(a), in relation to Article 266-B, paragraph 1 of the RPC. The dispositive portion of the RTC Judgment reads:

IN VIEW OF THE FOREGOING, this Court finds the accused, **JOEL MEDRANO ALLIM, GUILTY BEYOND REASONABLE DOUBT** of the crime of **RAPE as defined in ARTICLE 266-A, REVISED PENAL CODE**. Said accused is hereby sentenced to suffer the penalty of *reclusion perpetua* without eligibility for parole. He is also ordered to pay [AAA] the amounts of Php75,000.00 as civil indemnity, Php75,000.00 as moral damages and exemplary damages of Php75,000.00 plus legal interest at the rate of 6% per annum from the finality of this decision until the amounts are fully paid.

SO ORDERED.¹⁶ (Emphases and italics in the original)

Aggrieved, accused-appellant filed a Notice of Appeal,¹⁷ which was granted in due course by the RTC in its Order¹⁸ dated August 28, 2018.

Ruling of the CA

In its Decision dated October 23, 2020, the CA affirmed the RTC Judgment likewise finding accused-appellant guilty beyond reasonable doubt of the crime of Rape, but modified the penalty imposed by deleting the phrase “without eligibility for parole.” The dispositive portion of the CA Decision, reads:

WHEREFORE, the appeal is **DENIED**. The decision of the Regional Trial Court of Calamba City, Branch 6 dated August 8, 2018 in Criminal Case No. 23614-2014-C is **AFFIRMED with MODIFICATION**. Accused-appellant Joel Medrano Allim is found guilty beyond reasonable doubt of rape under Article 266-A, paragraph 1 (a) in relation to Article 266-B, par.1 of the Revised Penal Code, as amended, and is sentenced to suffer the penalty of *reclusion perpetua*. Accused-appellant is ordered to indemnify the victim in the amounts of Seventy-Five Thousand Pesos (P75,000.00) as civil indemnity, Seventy-Five Thousand Pesos (P75,000.00) as moral damages and Seventy-Five Thousand Pesos (P75,000.00) as exemplary damages, with interest at the rate of six percent (6%) per annum on all monetary awards from the date of finality of judgment until fully paid.

SO ORDERED.¹⁹ (Emphases in the original)

¹⁶ Id. at 28-29.

¹⁷ CA *rollo*, p. 12.

¹⁸ Id. at 13.

¹⁹ *Rollo*, p. 10.

The CA affirmed the findings of the RTC that the prosecution was able to establish beyond reasonable doubt that accused-appellant is guilty of Rape. According to the CA, based from the records, AAA's testimony was given in a straightforward, positive, clear, and convincing manner.²⁰ The CA, likewise, brushed aside accused-appellant's defense of alibi and denial given AAA's positive and categorical testimony and identification.²¹

Thereafter, accused-appellant filed his Notice of Appeal²² dated December 17, 2020, which was given due course by the CA in its Resolution²³ dated February 9, 2021. On June 17, 2022, the CA elevated to this Court the records of this case.²⁴

In the Resolution²⁵ dated September 21, 2022, the Court took note of the records of the case forwarded by the CA. The parties were likewise ordered to file their respective supplemental briefs, should they so desire, within 30 days from notice.²⁶

On February 6, 2023, the Office of the Solicitor General, on behalf of the People of the Philippines, filed a Manifestation and Motion of even date stating that it would no longer file a supplemental brief and instead adopts the arguments stated in its Brief.²⁷ A similar Manifestation was filed by accused-appellant.²⁸

Issue

The sole issue for this Court's resolution is whether the prosecution has proven beyond reasonable doubt that accused-appellant is guilty of Rape.

Ruling of this Court

We find no merit in the instant appeal and sustain accused-appellant's conviction.

After an exhaustive examination of the records, this Court finds no reversible error in the CA's appreciation of the evidence on record and its conclusions of law, which sustained the conviction of accused-appellant.

Accused-appellant is charged with Rape by sexual intercourse under Article 266-A, paragraph 1(a), as follows:

²⁰ Id. at 15.

²¹ Id. at 16.

²² Id. at 3.

²³ Id. at 6.

²⁴ Id. at 1.

²⁵ Id. at 30.

²⁶ Id.

²⁷ Id. at 35-36.

²⁸ Id. at 40.

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;

x x x x

In this jurisdiction, the 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.²⁹

In rape cases particularly, the conviction or acquittal of the accused most often depends almost entirely on the credibility of the complainant's testimony. By the very nature of this crime, it is generally unwitnessed and usually the victim is left to testify for herself. Her testimony is most vital and must be received with the utmost caution. Once found credible, her lone testimony is sufficient to sustain a conviction.³⁰

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, it being acknowledged that the court below, having seen and heard the witnesses during the trial, is in a better position to evaluate their testimonies.³¹

In *People v. Quintos*,³² 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

²⁹ *People v. Alcazar*, 645 Phil. 181, 191-192 (2010), citing *People v. San Antonio, Jr.*, 559 Phil. 188, 201 (2007).

³⁰ *People v. XXX*, G.R. No. 239906, August 26, 2020.

³¹ *People v. Dorado*, 140 Phil. 450, 454-455 (1969).

³² 746 Phil. 809 (2014).

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.³³

We find that the prosecution, through AAA’s candid, natural, and straightforward testimony was able to establish beyond reasonable doubt that accused-appellant had carnal knowledge of AAA. During her testimony, AAA was able to positively identify accused-appellant and narrated in detail what happened during the incident:

Q: Can you describe to us the structure of the CR?

A: Because there are two (2) Rest Rooms, ma’am, one for the female and one for male, and there’s a way going to the back of the CR.

Q: And when Joel pulled you, where were you?

A: I was about to go out from the Rest Room, ma’am.

Q: So you were done with your pee?

A: Yes, ma’am.

Q: And you said that Joel pulled you and brought you at the back of the toilet?

A: Yes, ma’am.

Q: What happened when you were brought at the back of the CR?

A: After he brought me there, ma’am, he held my hand, and then he placed my hand at my back, and then, he pushed me towards the concrete wall.

Q: You said earlier that that was around 7:30 in the evening?

A: Yes, ma’am.

Q: Okay, what happened next after Joel pushed you against the wall of the CR?

A: *Hinubo nya yung pants ko.*

Q: When you say, *hinubo*, what did he do?

A: He removed my garterized pants, ma’am.

Q: Up to where did he remove your pants?

A: *Hanggang baba po.*

Q: And what happened next after he removed your pants?

A: Then, he placed his hands on my breast, ma’am.

Q: So, when you said that he removed your pants, was there any garment on your lower body?

A: Yes, ma’am.

³³ Id. at 820.

Q: So, when the pants were removed, your underwear, or your panty was also removed?

A: Yes, ma'am.

Q: Now, what else did Joel do aside from touching your breast?

A: He took my hand and he placed it in his private organ, ma'am.

Q: And what happened next?

A: After that, he inserted his penis into my vagina, ma'am.

Q: When he did these things to you, did he utter any words?

A: I told him, if he is going to do this, he will be incarcerated.

Q: And what was his reply, if there was any?

A: He said, "*Wala kang pakialam.*"³⁴

When the offended party is of tender age and immature, 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. Youth and immaturity are generally badges of truth and sincerity.³⁵ A young girl's revelation that she had been raped, coupled with her voluntary submission to medical examination and 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.³⁶

Moreover, accused-appellant's defense of denial cannot overcome private complainant's positive, categorical, clear and convincing testimony.

It is undisputed that courts have always viewed the defenses of denial with considerable caution because they are inherently weak and unreliable, and can be easily made up. The defense of denial when unsubstantiated by clear and convincing evidence, are negative and self-serving, and cannot overcome the testimony of credible witnesses who testify on affirmative matters.³⁷

All told, accused-appellant was correctly convicted of simple rape as defined in Article 266-A of the RPC and was correctly sentenced to suffer the penalty of *reclusion perpetua*.

We, likewise, affirm the deletion of the phrase "without eligibility of parole" considering that pursuant to A.M. 15-08-02-SC, the phrase "*without eligibility for parole*" shall be used to qualify the penalty of *reclusion perpetua* only if the accused should have been sentenced to suffer the death penalty had it not been for Republic Act No. 9346.³⁸

³⁴ *Rollo*, pp. 14-15.

³⁵ *People v. Amaro*, 739 Phil. 170, 178 (2014).

³⁶ *People v. Tulagan*, G.R. No. 227363, March 12, 2019.

³⁷ *People v. Bensig*, 437 Phil. 748, 760 (2002).

³⁸ An Act Prohibiting the Imposition of Death Penalty in the Philippines, approved on June 24, 2006.

Moreover, as correctly ruled by the CA in accordance with recent jurisprudence,³⁹ accused-appellant must pay AAA the following: (1) ₱75,000.00 moral damages; (2) ₱75,000.00 civil indemnity; and (3) ₱75,000.00 exemplary damages, all to earn six percent (6%) interest *per annum* from the finality of this judgment until full payment.

WHEREFORE, finding no reversible error committed by the Court of Appeals, the instant appeal is hereby **DENIED**. The Decision dated October 23, 2020 of the Court of Appeals in CA-G.R. CR-HC No. 11863 is hereby **AFFIRMED**. Accused-appellant Joel Medrano Allim is found guilty beyond reasonable doubt of Rape under Article 266-A, paragraph 1(a), in relation to Article 266-B, paragraph 1 of the Revised Penal Code, as amended by Republic Act No. 8353. Accordingly, accused-appellant Joel Medrano Allim is sentenced to suffer the penalty of *reclusion perpetua* and **ORDERED** to pay private complainant AAA the amounts of: (a) ₱75,000.00 as civil indemnity; (b) ₱75,000.00 as moral damages; and (c) ₱75,000.00 as exemplary damages. In addition, all monetary awards shall earn legal interest at the rate of six percent (6%) *per annum* from the date of finality of this Resolution until full payment.

SO ORDERED.” (*Inting, J. and Singh, J., recused themselves from the case due to prior participation in the CA; Rosario, J. and J. Lopez, J., designated additional Members per Raffle dated March 21, 2023; Dimaampao, J., on official business.*)

By authority of the Court:

Misael Domingo C. Battung III
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Division Clerk of Court
10/21/23

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(Crim. Case No. 23614-2014-C)

³⁹ *People v. Juguetta*, 783 Phil. 806, 825 and 848 (2016).

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