

Title: People of the Philippines v. Ceilito Orita

Facts:

Ceilito Orita alias "Lito" was charged with rape committed against Cristina S. Abayan on March 20, 1983, in Eastern Samar, Philippines. Orita, a Philippine Constabulary soldier, allegedly assaulted Abayan by using threats and a knife, successfully having sexual intercourse without consent.

The prosecutorial process started in the Regional Trial Court (RTC), Branch II, Borongan, with the lower court finding Orita guilty of the crime of "Frustrated Rape," considering two aggravating circumstances: dwelling and night time. Orita received a sentence of imprisonment ranging from ten years and one day to twelve years and was ordered to indemnify Abayan in the amount of P4,000.00.

Dissatisfied with the RTC's decision, Orita appealed to the Court of Appeals, which modified the sentence to "Reclusion Perpetua" and increased the indemnity to P30,000.00. However, the appellate court later vacated this decision and escalated the case to the Supreme Court, due to provisions concerning its jurisdiction over such cases.

The Supreme Court found discrepancies in the testimonies of Abayan and Pat. Donceras, a policeman, to be trivial and not affecting their overall credibility. The Court held high regard for Abayan's straightforward and sincere testimony. It emphasized the tender and erythematous condition of the vulva as indicative of rape.

Issues:

1. Whether the inconsistencies in the testimonies of the prosecution's witnesses discredit their testimonies.
2. Whether there is a crime of frustrated rape under Philippine law.

Court's Decision:

The Court held the discrepancies to be minor and, in fact, indicative of the testimonies' truthfulness. They maintained that Abayan's testimony complemented by medical findings and the condition of her genital organ suggested sexual assault. On the second issue, the Court ruled that the frustrated stage of rape does not exist under Philippine law since rape becomes consummated at the moment of penetration, as further elucidated by jurisprudence and the provisions of the Revised Penal Code.

Doctrine:

In the commission of rape, any penetration of the female organ by the male organ is sufficient for consummation of the crime. Perfect or full penetration is not required. The elements necessary for rape to be consummated are force or intimidation and carnal knowledge of a woman without her consent. Additionally, the Supreme Court clarified that there is no frustrated stage in the crime of rape; it is either attempted if no penetration occurs or consummated upon the slightest penetration.

Class Notes:

- Credibility of a rape complainant's testimony may be sustained even with minor inconsistencies, given a sincere and straightforward recounting of the event.
- In rape cases, corroborative evidence via medical findings enhances the victim's testimony but is not a sine qua non for conviction if the latter is credible.
- A crime is consummated when all elements necessary for its execution and accomplishment are present without any intervention of causes independent of the will of the perpetrator. In rape, consummation occurs at the time of penetration.
- Reclusion perpetua is the appropriate penalty for rape with the use of a deadly weapon absent circumstances warranting the death penalty, in congruence with existing laws and the 1987 Philippine Constitution's prohibition against imposing the latter.

Historical Background:

The case was decided amidst an evolving legal landscape with respect to the imposition of the death penalty in the Philippines. The 1987 Philippine Constitution, at the time of the decision, had a provision that barred the imposition of the death penalty, thus leading to sentences of reclusion perpetua for crimes that would have otherwise warranted the death penalty. This case reflects the application of such constitutional mandates in penal jurisprudence during that period.