

Title: Roel Pendoy y Posadas vs. The Hon. Court of Appeals, et al.

Facts:

- On January 24, 2006, Roel Pendoy was accused of raping a 16-year-old minor, AAA, in Bohol, Philippines.
- AAA reported that Pendoy, her employer, forcefully engaged in sexual acts with her, leading to a criminal case filed against him.
- During the trial, Pendoy denied the accusations, presenting an alibi that he was working away from home at the time of the alleged incident.
- The RTC initially convicted Pendoy of Qualified Seduction, not rape, due to perceived insufficient proof of force or intimidation.
- Disagreeing with the RTC's decision, Pendoy appealed to the CA, which overturned the RTC's verdict, convicting Pendoy of simple rape and rape by sexual assault instead.
- Pendoy sought to reverse the CA's decision through a petition for certiorari to the Supreme Court of the Philippines.

Issues:

1. Whether the CA erred in convicting Pendoy of simple rape and rape by sexual assault despite his claims of consensual intercourse and providing an alibi.
2. The appropriateness of Pendoy's use of a petition for certiorari in challenging the CA's decision.
3. The determination of the proper penalties and damages due to the commission of the crimes.

Court's Decision:

- The Supreme Court dismissed Pendoy's petition, affirming the CA's decision with modifications regarding penalties and damages awarded.
- It held that Pendoy's reliance on a petition for certiorari was misplaced as an appeal was the proper remedy.
- The Supreme Court emphasized the credibility of AAA's testimony and the corroboration by medical evidence, dismissing Pendoy's defense of denial and alibi.
- The Court found Pendoy guilty of rape and lascivious conduct under Section 5(b) of RA 7610, modifying the CA's designation of one of the crimes and adjusting the penalties and damages accordingly.

Doctrine:

- In rape cases, the testimony of the victim, if credible and consistent, is sufficient to

support a conviction. The accused's denial or alibi cannot prevail over positive identification and credible testimony by the victim.

- An offender can be convicted of both rape and lascivious conduct if these crimes were properly alleged in the information and proven during the trial despite the general rule against duplicity of charges, provided no objection was raised before plea.
- The proper remedy against a CA decision is an appeal via a petition for review on certiorari under Rule 45, not a special civil action for certiorari under Rule 65.

Class Notes:

- Elements of Rape: (1) Sexual congress, (2) with a woman or a child, whether married or not, (3) by force, threat, or intimidation, or when the victim is incapable of giving consent due to age, mental condition, or personal condition.
- Lascivious Conduct under RA 7610: Involves the sexual abuse of minors and is characterized by intentions of lewdness or lasciviousness.
- Use of Denial and Alibi as defenses in rape cases: Both are generally weak against the victim's positive identification and credible testimony.
- Legal remedy against appellate court decisions: The proper course of action is an appeal through a petition for review on certiorari under the Rules of Court, emphasizing the procedural mistake of employing a certiorari petition inappropriately.

Historical Background:

The case highlights the complexities and sensitivities involved in prosecuting sexual crimes in the Philippines, particularly those involving minors. It underscores the critical role of credible victim testimony in rape prosecutions and the strict legal scrutiny applied by the Philippine judiciary in assessing evidence and determining appropriate legal remedies. This decision also reflects the evolving legal standards and protections for victims of sexual violence in the country.