

Title: Nonito Imbo y Gamores vs. People of the Philippines

Facts:

The case involves Nonito Imbo y Gamores (petitioner) who was convicted for the crime of Acts of Lasciviousness under Article 336 of the Revised Penal Code in relation to Section 5, Article III of Republic Act No. 7610 (The Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act). The petitioner was accused of committing lascivious acts upon his own daughter, identified as AAA, who was 11 years old at the time of the offense. The acts alleged included forcing AAA to remove her shorts, mashing her breasts and private parts, and kissing her against her will.

At trial, AAA testified about the abuse, detailing how her father molested her while she slept beside her sister on the night between October 14, 2003, and January 25, 2004. The petitioner, on the other hand, denied the allegations, suggesting his wife fabricated the story following a domestic quarrel. Despite this defense, the Regional Trial Court found AAA's testimony credible, convicting the petitioner and sentencing him to a term of reclusion temporal.

The petitioner appealed to the Court of Appeals, which upheld the trial court's decision, leading to the Petition for Review on Certiorari before the Supreme Court under Rule 45 of the Rules of Court.

Issues:

1. Whether the testimony of the private complainant, AAA, was credible.
2. Whether the Court of Appeals erred in imposing the penalty under Section 5 of the Republic Act No. 7610 despite the information failing to indicate its applicability.

Court's Decision:

The Supreme Court denied the appeal, affirming the conviction of the petitioner with modifications to the sentencing, holding that the testimony of AAA was credible and sufficient to establish the guilt of the petitioner for acts of lasciviousness. The Court also upheld the applicability of Section 5, Article III of R.A. No. 7610 for the determination of the penalty, negating the petitioner's claim that the information failed to indicate its applicability.

Doctrine:

This case reaffirms the doctrine that the lone testimony of the offended party in sexual abuse cases, if found credible, is sufficient to establish the guilt of the accused.

Furthermore, it highlights the applicability of R.A. No. 7610 in cases involving sexual abuse against children, emphasizing the special protection afforded to minors under this act.

Class Notes:

- Acts of Lasciviousness: Elements include (1) the commission of any act of lasciviousness or lewdness, (2) done under specific circumstances such as force or intimidation, and (3) the offended party is another person of either sex.
- Doctrine of Credibility: The Supreme Court holds that the factual findings of the trial court regarding the credibility of witnesses bear great weight.
- R.A. No. 7610 Application: In cases of sexual abuse against children under 12 years, the law provides specific penalties to protect minors' rights and dignity.
- Indeterminate Sentence Law: The decision also exemplifies the application of the Indeterminate Sentence Law, clarifying its application in the context of penalties under special laws versus the Revised Penal Code.

Historical Background:

This case underscores the judicial system's approach to combating child abuse in the Philippines, particularly emphasizing the importance of credible testimony and the special legal protections for children under R.A. No. 7610. The case also demonstrates the procedural journey of criminal cases from trial courts through the appellate system and ultimately to the Supreme Court for review, reflecting on the robust legal framework designed to protect minors from abuse and exploitation.