

Title:

Geronimo Ordinario v. People of the Philippines and Court of Appeals (G.R. No. 472 Phil. 853)

Facts:

1. **Initial Case**:

- In November 1998, Geronimo Ordinario, a teacher and Boy Scout leader at Nicanor Garcia Elementary School, allegedly committed multiple acts of sexual assault against his 10-year-old student Jayson Ramos y Maglaque.
- Ordinario allegedly summoned Ramos to the Boy Scout headquarters where several instances of oral sexual assault occurred.
- The assaults continued multiple times from November 1998 to February 1999.

2. **Complaint and Arrest**:

- On February 15, 1999, Ramos disclosed the assaults to his parents who then reported to the Makati Police Station on February 17, 1999.
- Twelve separate Informations were filed by the City Prosecutor of Makati City on February 26, 1999.

3. **Trial Court Proceedings**:

- Ordinario pleaded not guilty to all charges. A joint trial commenced.
- On October 20, 1999, the Regional Trial Court (RTC) of Makati City, Branch 138, convicted Ordinario on all twelve counts and sentenced him to five years of prision correccional to eight years and one day of prision mayor for each count. Ordinario was also ordered to pay P100,000 in moral damages and P50,000 in exemplary damages per count.

4. **Court of Appeals**:

- Ordinario appealed, questioning the credibility of the complainant's testimony and presenting an alibi.
- The Court of Appeals affirmed the RTC's decision in full, referencing minor inconsistencies in his alibi and lack of necessity for precise dates in the prosecution of rape cases.

5. **Appellant's Argument**:

- Ordinario asserted the improbability of the acts, particularly stressing his absence on key dates and the insufficiency of the Information which did not specify the dates of the assaults.

Issues:

1. **Credibility of the Complainant's Testimony**:

- Was complainant Jayson Ramos's testimony sufficiently credible to support the convictions?

2. **Sufficiency of the Information**:

- Did the lack of specificity regarding the exact dates of the alleged offenses affect the validity of the charges and the conviction?

3. **Defense of Alibi**:

- Was Ordinario's alibi, supported by multiple witnesses, credible enough to create reasonable doubt about the occurrence of the offenses?

4. **Award of Damages**:

- Were the amounts awarded for moral and exemplary damages appropriate under the circumstances?

Court's Decision:

1. Credibility of the Complainant's Testimony:

- The Supreme Court gave weight to the trial court's assessment of the complainant's credibility, finding his account detailed and consistent. The absence of ill-motive reinforced the trustworthiness of his testimony.

2. Sufficiency of the Information:

- Article 266-A of the Revised Penal Code does not necessitate precision in the date of the offense for a valid charge of rape by sexual assault. The Information met the legal sufficiency requirement by detailing the essential acts and general timeframe.

3. Defense of Alibi:

- Ordinario's alibi failed as it did not demonstrate physical impossibility to be at the crime scene. His occasional presence at the school after usual class hours was inconsistent with his claim of alibi.

4. Award and Adjustment of Damages:

- The Court modified the damages awarded by the lower courts, reducing moral damages to P25,000 and civil indemnity to P25,000 for each count. The exemplary damages were deleted as they were not warranted under the circumstances.

Doctrine:

- **Sufficiency of Information**:
 - An Information is sufficient if it adequately specifies the offense, encompassed by law, and need not include precise dates of commission when not an element of the crime.
- **Credibility of Victim's Testimony**:
 - Testimonies of minor victims in sexual abuse cases are given considerable weight, particularly absent any showing of ill-motive.
- **Alibi as Defense**:
 - The defense of alibi must show physical impossibility of the accused's presence at the scene of the crime. Mere assertions of being elsewhere at the time without credible support will not acquit the accused.

Class Notes:

- **Key Elements**:
 - **Acts constituting Sexual Assault**: Insertion of penis into another's mouth or anal orifice; applicable to any person under specified coercive circumstances.
 - **Essential Principles**: Credibility of minor victims, sufficiency of indictments without precise dates, burden of disproving alibi lies with prosecution.
- **Statutory Provisions**:
 - **Article 266-A of the Revised Penal Code**:
 - Sexual assault: involving the insertion of the perpetrator's penis into another person's mouth or anus.
 - **Indeterminate Sentence Law**:
 - Paramount principle: Imposition of a maximum and minimum range for penalties without proving aggravating or mitigating circumstances.

Historical Background:

- This decision stems from the amended classification and understanding of sexual offenses in the Philippine legal framework post the enactment of Republic Act No. 8353, also known as the Anti-Rape Law of 1997, which expanded the definition of rape to include acts of sexual assault committed by anyone, regardless of gender. The case exemplifies the Philippine judiciary's rigorous stance towards protecting minors from sexual crimes and ensuring the sufficiency of due process while navigating the nuances of procedural and substantive criminal law.