

### People vs. Rosendo Amaro

**\*\*Title:\*\***

People of the Philippines vs. Rosendo Amaro

**\*\*Facts:\*\***

On March 26, 1998, at around 5:00 PM in front of the Boots & Maya store in Puerto Princesa City, AAA, a seven-year-old girl, was approached by Rosendo Amaro. Amaro asked AAA to buy him cigarettes, and after handing him the cigarettes, he gave her bread and banana cue. After consuming the food, AAA became dizzy and passed out. She regained consciousness inside Amaro's house in Barangay Tagburos, where Amaro forcibly undressed and raped her. AAA was detained for six days and raped five times.

AAA's mother, BBB, reported her missing when she did not come home from school. After six days, AAA was found and brought to the police station. A medical examination revealed lacerations on AAA's vagina. Amaro was arrested and charged with forcible abduction with rape.

Amaro denied the charges, claiming that AAA voluntarily went with him because she was being scolded by her parents. He stated that he entrusted AAA to the care of Florante Magay's sister while he was at work and later took her home.

**\*\*Procedural History:\*\***

1. **\*\*RTC Judgment:\*\*** On February 26, 2007, the Regional Trial Court (RTC) of Palawan and Puerto Princesa City found Amaro guilty of forcible abduction with rape and sentenced him to reclusion perpetua with P50,000.00 for civil indemnity and P50,000.00 for moral damages.
2. **\*\*Court of Appeals:\*\*** On March 30, 2011, the Court of Appeals affirmed the RTC's decision.
3. **\*\*Supreme Court:\*\*** Amaro appealed to the Supreme Court, challenging the sufficiency of the prosecution's evidence and arguing that AAA was not in his custody at the time of the alleged rape.

**\*\*Issues:\*\***

1. Whether the prosecution established the elements of forcible abduction with rape beyond reasonable doubt.
2. Whether the testimony of the child-victim, AAA, is credible.
3. Whether the imposition of the penalty and damages was appropriate.

**\*\*Court's Decision:\*\***

**\*\*1. Elements of Forcible Abduction with Rape:\*\***

The Supreme Court found that the prosecution proved all elements of forcible abduction with rape:

- AAA was a seven-year-old girl, indicating her abduction against her will.
- The abduction and subsequent rape were committed with lewd designs, as evidenced by official medical findings and AAA's testimony.

**\*\*2. Credibility of AAA's Testimony:\*\***

The Court upheld the trial court's assessment of AAA's testimony, noting that it was straightforward and corroborated by medical findings. Emphasizing that the testimony of a young rape victim is usually given full weight and credit, the Court found AAA's account credible.

**\*\*3. Penalty and Damages:\*\***

The Court affirmed the penalty of reclusion perpetua, modifying the damages in line with recent jurisprudence:

- P100,000.00 as civil indemnity
- P100,000.00 as moral damages
- P100,000.00 as exemplary damages

An interest of 6% per annum on all awarded damages from the finality of the judgment until fully paid was also enforced.

**\*\*Doctrine:\*\***

1. In rape cases, the testimony of the victim, especially a minor, is given full weight and credit if it is credible and consistent with medical findings.
2. Forcible abduction with rape involves both the act of abduction with lewd designs and the accomplishment of rape, warranting a complex crime charge under Article 48 of the Revised Penal Code.
3. Medical evidence corroborating the act of rape strengthens the credibility of the victim's testimony.
4. Denial and alibi are weak defenses against positive identification and credible testimony of the victim.

**\*\*Class Notes:\*\***

- **\*\*Elements of Forcible Abduction:\*\*** Woman abducted, taken against her will with lewd designs.

- **Elements of Rape:** Sexual intercourse by force, intimidation, when the woman is unconscious, or below 12 years of age.
- **Credibility of Witness Longstanding Principle:** Testimony of young rape victims is often viewed as credible and given significant weight in court.
- **Weakened Defenses:** Denial and alibi without strong corroborative evidence are considered weak defenses.
- **Penal Allocation for Complex Crimes:** As per Article 48, when the abduction is used as a means to commit rape, the penalty for the more serious offense (rape) applies.

**Historical Background:**

This case is set against a backdrop where Philippine jurisprudence heavily emphasizes the protection of minors and women. The Court's approach aligns with the larger societal push controlled by evolving legislative frameworks and implementing bodies to provide stringent penalties for crimes against vulnerable populations. The doctrine, as highlighted, underscores Philippine legal precedence in giving weight to the testimonies of young victims and ensuring such offenses are met with severe punishment to protect societal morality and prevent recurrence.