

Title: People of the Philippines vs. Bernabe Pangilinan Y Crisostomo (676 Phil. 16)

Facts:

1. The prosecution charged Bernabe Pangilinan with two separate crimes: Rape (Criminal Case No. 11768) and Child Sexual Abuse (Criminal Case No. 11769) under Republic Act No. 7610.
2. The prosecution asserted that on July 27, 2001, Pangilinan raped his stepdaughter, AAA, by means of force, threat, and intimidation.
3. Additionally, between 1995 and June 2001, Pangilinan allegedly committed acts of lasciviousness against AAA.
4. Through the testimonies of Dr. Marissa M. Mascarina and AAA, the prosecution established the abuse, although the medical certificate indicated no hymenal laceration.
5. The defense claimed that Pangilinan was elsewhere during the alleged rape and that the accusations were motivated by resentment from the victim's relatives. Pangilinan's neighbors corroborated his alibi.
6. The Regional Trial Court (RTC) of Tarlac found Pangilinan guilty beyond reasonable doubt of rape and sexual abuse, sentencing him to reclusion perpetua for rape and a term ranging from six months and one day to seven years for sexual abuse.
7. Pangilinan appealed the conviction, arguing inadequate specificity in the sexual abuse charge and insufficient evidence of rape.
8. The Court of Appeals affirmed the RTC's decision but modified the damages awarded.
9. A further appeal was made to the Supreme Court, which reviewed all matters concerning both cases.

Issues:

1. Whether the Information filed in Criminal Case No. 11769 was sufficient and did not violate Pangilinan's right to be informed of the nature of accusations.
2. Whether the prosecution provided adequate evidence to prove the crime of rape beyond reasonable doubt.
3. Whether Pangilinan should have been prosecuted under Republic Act No. 7610 instead of Article 266-A of the Revised Penal Code for rape, given the victim's age.

Court's Decision:

1. The Supreme Court ruled that the Information in Criminal Case No. 11769 was void for vagueness and lack of specificity, thus violating Pangilinan's right to be informed of the nature and cause of the accusation. The case for child sexual abuse was dismissed.
2. Regarding the rape charge (Criminal Case No. 11768), AAA's consistent and credible

testimony, despite the absence of hymenal laceration, was sufficient to establish carnal knowledge through force and intimidation.

3. The court determined that the rape charge was appropriately prosecuted under Article 266-A of the Revised Penal Code rather than RA No. 7610, asserting that the victim was above 12 years old when the alleged rape occurred, and the evidence substantially established rape through force and intimidation.

Doctrine:

1. The sufficiency of an Information: An indictment must sufficiently inform the accused of the charges, containing clear and specific allegations of fact to enable a proper defense.
2. Rape in the context of Article 266-A: Even without physical evidence like hymenal laceration, credible testimonial evidence can suffice to prove rape.
3. Jurisdiction and penalty: The appropriate legal framework and penalties for crimes such as rape and sexual abuse hinge on the victim's age and the nature of the proving facts.

Class Notes:

1. **Elements of Rape (Article 266-A, RPC):**
 - Carnal knowledge of a woman
 - Accomplished by force, threat, intimidation, deprivation of reason, fraudulent machination, or when the victim is under 12 years old.
2. **Acts of Lasciviousness (Section 5 (b), RA No. 7610):**
 - Lewd acts committed against a child under 18 or considered under special protection.
 - More specific averments are necessary due to minor's age in allegations.
3. **Right to be informed (Sec. 8, Rule 110, Rules of Criminal Procedure):**
 - Accusation must state the offense designation, act/omission details, and any qualifying circumstances.

Historical Background:

- The case highlights the evolving judicial standards in prosecuting crimes involving minors and sexual offenses. It underscores the gaps between procedural sufficiency and substantive justice and reflects measures to protect victims' identities and uphold rights' accused. The decision integrates established jurisprudence and statutory mandates, reinforcing that any deficiency in the accusatory process can lead to the voiding of Information and the dismissal of charges. It also acknowledges the complexity of prosecuting sexual crimes where testimonial evidence may outweigh physical proof.

This case reiterates the need for precise procedural adherence and robust testimonial

examination in achieving substantial justice within the criminal framework.