

Title: People of the Philippines vs. Nemesio Bacalso

Facts:

- **February 19, 1989**:
- **Evening**: Nemesio Bacalso forced entry into the house of Bernalda “Vicky” Bautista at Barangay Montesuerte, Carmen, Bohol by cutting a nylon rope and threatening Vicky’s mother, Mrs. Concepcion Qui, with a bolo.
- **Inside the House**: Bacalso forcibly abducted Vicky from her room.
- **Cassava Plantation**: Bacalso raped Vicky twice.
- **House of Feliciano Seguerra**: Bacalso sought shelter, borrowed clothes for Vicky, and admitted to Seguerra of the rape. Vicky informed Seguerra of her kidnapping.
- **Hut of Yulie Sipsip**: Bacalso raped Vicky again.
- **Search and Rescue**: Neighbors and barangay officials, informed by Mrs. Concepcion Qui, found Bacalso naked beside Vicky.

- **Subsequent Events**:
- Vicky’s medical examination revealed the absence of spermatozoa, explained by washing.
- Bacalso claimed a sweetheart relationship with Vicky, presenting personal items as evidence.

Procedural Posture:

- **Regional Trial Court of Bohol (Tagbilaran)**: Bacalso was charged with two counts of rape under separate informations.
- After trial, the court found Bacalso guilty of forcible abduction with rape.
- Sentenced to reclusion perpetua and ordered payment of P20,000.00 as moral damages.

- **Appeal**: Bacalso appealed, citing errors in the trial court’s reliance on testimonies and alleged inconsistencies.

Issues:

1. **Credibility of Witnesses**: Whether the trial court erred in giving weight to the testimonies of the complainant and her mother.
2. **Reasonable Doubt**: Whether the trial court should have acquitted Bacalso on the ground of reasonable doubt.
3. **Complex Crime of Abduction with Rape**: Whether the trial court correctly convicted Bacalso of complex crime considering the charges and subsequent acts.

Court’s Decision:

1. **Credibility of Witnesses**:

- The Supreme Court affirmed the trial court's assessment of witness credibility, noting their opportunity to observe demeanor and testimonial consistency.
- Testimonies of complainant, her mother, and Feliciano Seguerra were deemed spontaneous, direct, and consistent with each other.
- Minor inconsistencies were found inconsequential and even noted to enhance credibility by indicating honesty and absence of collusion.

2. **Reasonable Doubt**:

- The defense of a "sweetheart relationship" was dismissed as a fabrication. The Court found no corroboration from community members, weakening the defense.
- The presented personal items (panty and handkerchief) were not convincing as voluntary gifts from Vicky.

3. **Complex Crime and Multiple Rapes**:

- The Court found that Bacalso committed forcible abduction with rape, a complex crime consummated upon the first rape in the cassava plantation.
- Subsequent rapes were treated as separate offenses. Hence, the Court found Bacalso guilty of the complex crime of forcible abduction with rape and an additional count of rape.

Doctrine:

- **Complex Crimes (Article 48 of the Revised Penal Code)**: The penalty for the most serious crime in a complex crime shall be imposed in its maximum period.
- When multiple rapes happen after forcible abduction, only the first rape is complexed with abduction; subsequent rapes are separate offenses.

Class Notes:

- **Forcible Abduction (Article 342, Revised Penal Code)**:
 - Woman abducted against her will;
 - Abduction with lewd designs.
- **Rape (Article 335, Revised Penal Code as amended by RAs 2632 and 4111)**:
 - Sexual intercourse by force, intimidation, deprivation of reason, unconsciousness, or if under twelve years old.
- **Key Concept**:
 - **Credibility Assessments**: Relied on by trial courts with direct witness observations.
 - **Complex Crimes**: Rape complexed with abduction if occurring in sequence initially, followed by separate counts for subsequent rapes.

Historical Background:

- This case exemplifies the stringent judicial approach towards heinous crimes such as rape and abduction within the Philippine legal framework.
- Reflects the application of legal doctrines on complex crimes, particularly in evaluating multiple offenses arising from a continuous criminal act.