

Title:

People of the Philippines vs. Rolando Codilla, German Lucanas, and Marcelo Putulin (295 Phil. 990)

Facts:

Criminal Complaints:

Four separate complaints for rape were instituted against Rolando Codilla, German Lucanas, and Marcelo Putulin by Margarita Alpos, Helen Pepito, and Letecia Pepito.

1. **Criminal Case No. 3739-0:**

- **Date & Time:** May 24, 1990, around 3:00 AM
- **Accused:** Rolando Codilla
- **Victim:** Helen Pepito
- **Allegation:** Armed with a bolo, Codilla raped Helen Pepito in her home.
- **Charge:** Violation of Article 335, Revised Penal Code

2. **Criminal Case No. 3740-0:**

- **Date & Time:** November 27, 1990, around 3:00 AM
- **Accused:** Rolando Codilla
- **Victim:** Margarita Alpos
- **Allegation:** Armed with a handgun, Codilla raped Margarita Alpos in her home.
- **Charge:** Violation of Article 335, Revised Penal Code

3. **Criminal Case No. 3741-0:**

- **Date & Time:** May 24, 1990, around 3:00 AM
- **Accused:** Marcelo Putulin
- **Victim:** Letecia Pepito
- **Allegation:** Armed with a bolo, Putulin raped Letecia Pepito in her home.
- **Charge:** Violation of Article 335, Revised Penal Code

4. **Criminal Case No. 3742-0:**

- **Date & Time:** November 27, 1990, around 3:00 AM
- **Accused:** German Lucanas
- **Victim:** Margarita Alpos
- **Allegation:** Armed with a handgun, Lucanas raped Margarita Alpos in her home.
- **Charge:** Violation of Article 335, Revised Penal Code

****Series of Events:****

- ****Helen Pepito:**** At 3:00 AM on May 24, 1990, Helen Pepito was awakened by the rain along with her sister Letecia. They saw two men in their briefs and sleeveless shirts holding bolos and a flashlight. Helen was ordered to go to the kitchen where she was then raped by Codilla.
- ****Letecia Pepito:**** Letecia was also raped by Marcelo Putulin in a separate room under similar circumstances on the same night, both sisters were threatened with bolos.
- ****Margarita Alpos:**** On November 27, 1990, Margarita Alpos was similarly awakened by a fall of a gallon and encountered two men who pointed a flashlight at her, demanded money, and subsequently raped her one after the other, identified as Codilla and Lucanas.

****Procedural Posture:****

- The cases were brought to the Regional Trial Court, Branch 12, Ormoc City, which convicted the accused. Codilla, Lucanas, and Putulin were sentenced to reclusion perpetua and ordered to indemnify the victims.
- During the pendency of the appeal, Codilla escaped from jail, leading to the dismissal of his appeal. Lucanas went missing during the flash flood in Ormoc City, and thus, his appeal was also dismissed.

Issues:

1. ****Dubious Arrest Circumstances:****
 - The accused claimed violations of constitutional rights and fabrication of charges due to questionable arrest circumstances.
2. ****Police Conduct During Identification:****
 - They argued that the pre-trial police conduct was suggestive and unreliable, thereby violating their rights.
3. ****Credibility of Testimonies:****
 - They contested the credibility and reliability of the prosecution witnesses' testimonies.
4. ****Right Against Self-Incrimination:****
 - Challenged placement in a police line-up and undressing as a violation of their right against self-incrimination.

Court's Decision:

1. Dubious Arrest Circumstances:

- **Resolution:** The court dismissed this argument as the accused waived their right to question the legality of their arrest by entering a plea of not guilty without raising the issue initially.

2. Police Conduct During Identification:

- **Resolution:** The trial court's findings affirmed the credibility of the victims' testimonies. Special mention was made of the lighting in the house aiding witness identification, and the lack of undue police influence on witness identification.

3. Credibility of Testimonies:

- **Resolution:** The court upheld the credibility of the witnesses, noting their consistent, categorical, spontaneous, and frank testimonies. The court reasoned the victims would not undergo the humiliation of court proceedings unless their accounts were true.

4. Right Against Self-Incrimination:

- **Resolution:** The right against self-incrimination relates to protection against testimonial compulsion and not to participating in physical identification measures like police line-ups.

Civil Indemnity:

- The indemnities to the victims were increased to P30,000 each for the additional burden and terror inflicted upon them.

Doctrine:

1. **Waiver of Right Against Illegal Arrest:**

- Failing to challenge the legality of an arrest before entering a plea constitutes a waiver of that right.

2. **Testimonial Compulsion and Self-Incrimination:**

- The right against self-incrimination protects against testimonial compulsion, not physical acts for identification purposes.

Class Notes:

- **Elements of Rape (Article 335, Revised Penal Code):**
- By using force, intimidation, or placing the woman in fear.
- When the victim is deprived of reason or otherwise unconscious.

- When the victim is under twelve years of age, or is demented.
- ****Waiver of Objection to Illegal Arrest:****
- Jurisdictional principles state that failure to challenge early means acceptance of the court's jurisdiction.
- ****Identification Procedures:****
- Clear witness identification post-incident and alignment with physical evidence uphold court validity on reliance on such testimony despite procedural claims.

Historical Background:

- The case reflects the jurisprudence during a period when the death penalty was still abolished in the Philippines, thus adjusting the considerations in terms of penalties imposed relating to heinous crimes. The judicial parameters for credible witness testimony, methods of lawful detention and arrest procedure were key judicial debates reflective of broader civil rights protections embedded in post-Marcos Philippine legal landscape.