

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

People of the Philippines vs. Sanico Nuevo @ “Sany”

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

On the evening of December 4, 1994, Sanico Nuevo invited Anselmo Cido, Jr. to a drinking session at Anselmo Sr.’s house, leaving Anselmo’s wife, Roberta, alone with their infant daughter and her niece, Gemma. Around 11:00 P.M., Sanico returned to Anselmo’s house and allegedly raped Roberta at knifepoint while covering her mouth, with the attack witnessed by her niece. The following morning, Roberta informed her husband, which led to Sanico’s arrest that same afternoon.

At trial, Roberta testified to Sanico’s attack, stating she identified him by voice as she was familiar with it. Anselmo corroborated parts of her story, noting Sanico left the drinking session between 11:00 P.M. and 1:00 A.M. holding a bolo. Dr. Esmeralda Nadela confirmed Roberta’s medical examination showed no fresh injuries but noted this was plausible due to the victim’s childbirth history.

Sanico denied the accusations, asserting he stayed at Anselmo Sr.’s the entire night. His brother Emilio supported this claim but admitted he did not disclose seeing Sanico sleep there until trial.

The trial court found Sanico guilty, noting the crime’s aggravating circumstances, and sentenced him to death. However, Sanico’s counsel filed for an automatic review, primarily contesting the sufficiency of his identification and the evidence against him.

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

1. Whether Sanico’s identification by Roberta based on his voice was sufficient for conviction.
2. Whether the prosecution provided enough evidence to prove rape and justify the death sentence.

**\*\*Court’s Decision:\*\***

1. **\*\*Sufficiency of Voice Identification:\*\***

- The Supreme Court upheld voice identification, citing familiarity between the accused and the victim. The victim knew Sanico since childhood and had heard his voice several times.
- The court referenced previous rulings affirming voice identification as reliable when the

witness had long-term familiarity with the accused.

2. **Evidentiary Support for Rape Conviction:**

- The Supreme Court found the prosecution's evidence credible, emphasizing that physical injuries are not essential for establishing rape.
- The victim's testimony, corroborated by witnesses and medical findings, sufficiently supported the conviction beyond reasonable doubt.

3. **Penalty Reassessment:**

- The Supreme Court identified that the qualifying and aggravating circumstances (rape committed in full view of a third-degree relative, use of a deadly weapon, and dwelling) were not correctly pleaded in the information.
- Consequently, Sanico's death penalty was reduced to reclusion perpetua (life imprisonment).

4. **Civil Damages:**

- The Supreme Court modified the civil aspect, awarding the victim P50,000 as civil indemnity, P50,000 as moral damages, and an additional P25,000 as exemplary damages.

**Doctrine:**

1. **Voice Identification:** A person well-familiar with another can accurately identify them by voice even in poor visibility conditions.
2. **Rape Conviction Proof:** Physical injuries are not necessary to prove rape if the victim's testimony is credible, consistent, and corroborated.
3. **Information Specificity:** Aggravating and qualifying circumstances must be explicitly averred in the complaint or information for them to be considered in determining punishment.

**Class Notes:**

1. **Elements of Rape (Article 335, Revised Penal Code):**
  - Sexual intercourse against the will and without the consent of the woman.
  - Use of force or intimidation.
  - Circumstantial evidence (like voice identification) can be pivotal.
2. **Voice Identification Reliability:**
  - Established in past cases (e.g., People vs. Reyes, People vs. Gayomma).

- Requires familiarity between the witness and the accused.

3. **Procedural Requirements:**

- Aggravating and qualifying circumstances must be specifically pleaded (Rule 110, Section 8, Revised Rules of Criminal Procedure).

4. **Indemnities in Rape Cases:**

- Civil indemnity: P50,000.
- Moral damages: P50,000.
- Exemplary damages: P25,000.

**Historical Background:**

This case highlights the procedural improvements introduced by the Revised Rules of Criminal Procedure (effective December 1, 2000) focusing on the specificity in the pleading of offenses and their circumstances. It underscores how appellate review processes ensure thorough examination and correction of lower court decisions, particularly in severe cases involving the death penalty. This period in Philippine jurisprudence was marked by heightened scrutiny on legal procedural fidelity and the proper administration of justice in criminal cases.