

****Title:**** People of the Philippines vs. SPO1 Catalino Gonzales, Jr., Accused-Appellant

****Facts:****

Peter Tan (Tan) and his wife Huang Haitao (Haitao) operated a market stall in Tanza, Cavite. On December 28, 2005, Haitao went to the market while Tan and their two-year-old son followed later. Haitao called her husband multiple times and eventually, someone claiming to be an NBI agent answered, stating that Tan was detained for illegal drug possession. Haitao later received a call from a Chinese man seeking ransom for Tan and their son. Initially demanding P5,000,000, the captors settled for P3,000,000. Haitao reported the kidnapping to PACER. A meeting in Luneta Park to pay the ransom fell through, but Haitao's son was found at White Cross Children's Home.

Edwin Torrente, who was part of the group that kidnapped Tan and his son, was arrested and turned state witness under the Witness Protection Program. Torrente detailed the kidnapping plan orchestrated by appellant SPO1 Catalino Gonzales and other police officers. On the day of the crime, Torrente met with the group and kidnapped Tan and his son near their home. Torrente later called Haitao demanding ransom.

Gonzales offered an alibi, claiming he was at Land Bank in Dasmarinas, Cavite at the time of the kidnapping, corroborated by the bank manager. Gonzales also claimed he was tortured by PACER. Gonzales' daughter and a doctor testified about his condition.

On 12 July 2006, the Regional Trial Court (RTC) convicted Gonzales of Kidnapping for Ransom and imposed reclusion perpetua along with exemplary damages of P200,000. Gonzales appealed to the Court of Appeals, which affirmed the RTC decision with modification.

****Issues:****

1. Whether the inconsistencies in the statements of prosecution witnesses regarding the time of the crime affect the credibility and result in reasonable doubt.
2. Whether the prosecution proved the corpus delicti despite the non-appearance of the victim, Peter Tan, in court.

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

1. ****Inconsistencies in Witness Statements:****
 - The Supreme Court affirmed that minor inconsistencies, such as the exact time of the kidnapping, are immaterial to the essential elements of the crime and do not necessarily impair witness credibility. These minor discrepancies often indicate the lack of

orchestration in testimonies, thereby supporting their reliability. In this case, both the RTC and the Court of Appeals found the testimonies credible despite the alleged time inconsistencies.

2. **Proof of Corpus Delicti:**

- The Supreme Court held that the corpus delicti in kidnapping cases is the fact of illegal detention and extortion of ransom. Haitao's testimony regarding the kidnapping and ransom demand sufficiently proved the corpus delicti. Consequently, the non-presentation of victim Tan was not detrimental to the prosecution's case.

The court affirmed the conviction of SPO1 Catalino Gonzales, Jr. but modified the damages awarded. It ordered Gonzales to pay P100,000 each in civil indemnity, moral, and exemplary damages, with 6% annual interest from the finality of the judgment until paid.

Doctrine:

- Minor discrepancies in witness statements, particularly regarding non-material elements like time, do not impair credibility and can strengthen reliability by indicating unrehearsed testimonies.
- In kidnapping for ransom, the corpus delicti is proven by showing the illegal restraint and extortion attempt, not necessarily requiring the victim's appearance in court.

Class Notes:

- **Key Elements of Kidnapping for Ransom (Article 267, Revised Penal Code):**
 - Intent to deprive the victim of liberty.
 - Actual deprivation of liberty.
 - Motive to extort ransom.
- **Relevant Legal Principle:** Minor inconsistencies, not affecting the crime's essential elements, do not undermine witness credibility.
- **Statutory Provisions:**
 - Article 267 of the Revised Penal Code: Defines and penalizes kidnapping and serious illegal detention with particular aggravating circumstances.
- **Terms to Remember:**
 - **Corpus Delicti:** The fact of a crime having been committed.
 - **Reclusion Perpetua:** A form of imprisonment lasting from 20 years and 1 day to 40 years.
 - **State Witness:** A member of the criminal actors who testifies on behalf of the

prosecution in exchange for immunity or protection.

****Historical Background:****

This case illuminates persistent issues within the Filipino judicial system, particularly regarding police involvement in criminal activities and the practices of witness protection programs. The decision underscores the courts' effort to uphold justice amidst challenges, such as police corruption and procedural issues.