

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. CHRISTIAN SANDAGON Y PELAEZ, ACCUSED-APPELLANT.*G.R. No. 106897. June 13, 1994*

Ponente: CRUZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-106897/>**CRUZ, J.:**

The presumption in rape cases is that the complainant is telling the truth because she would otherwise not submit herself to the embarrassment of a public trial where the sordid details of her violation will be exposed and every intimate part of her body will be examined. On the other hand, there is also the presumption of innocence, to be observed in every criminal prosecution, where the accused must be considered not guilty of the offense charged until the contrary is proved.

The appellant was convicted of rape and sentenced by the Regional Trial Court of Quezon City to suffer the penalty of reclusion perpetua, to indemnify the offended party the sum of P30,000.00 as moral damages, and to pay the costs.[1] In this appeal, he faults the judgment for giving credence to the prosecution witnesses and not finding that the complainant voluntarily went with him to live as his wife.

Maricel Dolera testified that she was 15 years old at the time of the incident and was staying with the family of her uncle, Rogelio Dolera, at Quezon City, where she was working as a baby-sitter. On December 2, 1991, at about 11:00 in the morning, she went to the Quezon Memorial Circle to look for Antonio Augis, another uncle, who was to assist her in securing a residence certificate. Not finding him there, she approached the appellant, Christian Sandagon, and asked him if he knew her uncle. He said yes and even offered to accompany her to Antonio's house. She agreed gratefully and the two boarded a jeep for Fairview. They alighted at a place near a vegetable patch, and there Sandagon's manner suddenly changed. At knife point, she was taken to an uninhabited shanty where he forced himself upon her. She tried to resist but had to submit in the end when he slapped and threatened to kill her. He pushed his penis into her mouth and there ejaculated. He raped her twice that afternoon. Afterwards, Sandagon took her to a restaurant and then to a four-bedroom house, where Sandagon had a drinking spree with his friends until 8:00 in the evening. Sandagon and she slept in the sala that night and the appellant again violated her. From there they went to several places, including Lagro and Laguna. They were together everywhere they went and she could not ask for help from anybody because Sandagon never left her side. Sandagon was a light sleeper and woke up immediately whenever she did. She was virtually a prisoner, with Sandagon keeping close watch. Finally, a month after her abduction, she told him she was agreeing to live with him and was thus able to persuade him to allow her to get her clothes from her uncle's house. There she revealed her ordeal to her family, which took immediate steps to bring Sandagon to justice.[2]

Magno Quino, her uncle, corroborated that he instructed her to go to Quezon City Hall on December 2, 1991, to secure a residence certificate and to see another uncle, Antonio Augis, to assist her. However, she did not return that day but only on January 2, 1992, when, acting on her report, he and five friends apprehended the appellant at the grocery store where he was waiting for Maricel and turned him over to police authorities.[3]

The medical examination of Maricel on January 2, 1992, revealed a deep healed laceration of the hymen and indicated she may have had more than one sexual intercourse. There was no external sign of the recent application of any form of trauma upon her.[4]

The appellant denied the charges and claimed he and Maricel were sweethearts. He said he met her sometime in January 1991 at the Quezon Memorial Circle and they eventually became lovers in June of that year. On December 2, 1991, at around 10:00 in the morning, Maricel approached him and asked him to accompany her in looking for her uncle in the Circle. They failed to locate him. He started to leave for his work but Maricel said she would come along because she had a problem to consult him about. They proceeded to Cubao, where Maricel told him she did not want to go back to her uncle's house because a nephew of his wanted to take advantage of her. Sandagon had to see his employer at Boni Avenue but as they did not find him there, they decided to seek him in Calamba, Laguna. They also missed him in that place and so they went back to Manila and stayed in a hotel at Recto Avenue. Maricel seduced him there. When they left, it was she in fact who paid the lodging fees. From then on, they lived together as husband and wife. On January 2, 1992, they decided to ask permission from Maricel's uncle to get married, but the latter vehemently objected and instead had him arrested and prosecuted for rape.[5]

As a matter of policy based on sound practical considerations, this Court defers to the factual findings of the trial court, which is able to observe the witnesses on the stand and to determine by their demeanor the degree of their credibility. We shall deviate from this rule, however, because we find that the exception is in order in the case before us.

We have carefully examined the records of this case, including the transcript of stenographic notes, and cannot agree that the guilt of the appellant has been proved beyond reasonable doubt. Even if it be assumed that the testimony of Sandagon was inconsistent and unbelievable, we find that so too was Maricel's and, indeed, in graver degree.

It is our view that the story given by Maricel of her alleged abduction and multiple rapes is intrinsically weak and difficult to accept. By her own account, it was she who first talked to Sandagon, a total stranger, and she willingly agreed to go with him in search of her uncle in a subdivision, taking a jeep for the purpose. She knew her uncle's residence but she did not object when they passed it by although she said she had an initial urge - which she herself suppressed - to jump out of the jeep.[6] If she was then already under duress, she did not complain or cry out to the other passengers in the vehicle who could have helped her. She claimed she was threatened by Sandagon with a kitchen knife but admitted she saw this only when they reached the shanty near the vegetable patch,[7] where there were several people working.[8] She did not call out to them for help as he and Sandagon proceeded to the hut, which was conveniently unoccupied. Here, at four o'clock in the afternoon, and with some people in the nearby field, Sandagon forced himself upon her, first ejaculating in her mouth and then raping her twice. Afterwards they went to a restaurant, where they had a snack as if nothing had happened.[9] This was followed by extensive travels of the two, to a friend's house where there were about ten persons, not one of whom she spoke to about her ordeal;[10] to Lagro where they slept for ten days in the house of Sandagon's employer, whose help she did not seek; to Laguna, in the house of the appellant's relatives who might also have helped her if she had asked them;[11] to a hotel in Manila where she continued to be violated,[12] to another unoccupied shack where the series of rapes continued,[13] and so on.

We do not believe Maricel's impossible adventure. It looks to us more like an elopement gone sour. Threadbare as Sandagon's story may be, it is more credible than Maricel's tale of (loose) captivity and defilement lasting all of 31 days. Even by Maricel's own account, the two acted more as lovers than as warden and prisoner. The girl had many safe opportunities to seek help, or even to escape, but she never did so during the more than one month she was supposed to be under restraint.

We note that while it is usual, in justifying the conviction of the accused, to observe that the complainant testified in a straightforward and candid manner, no such observation was made of Maricel by the trial court. Such justification would have been inappropriate, considering the erratic testimony of the complainant, an excerpt of which follows:

Q: Where did you spend your Christmas?

A: I cannot remember, sir.

Q: Not in the house of his employer?

A: No, sir.

Q: You remember having been brought by the accused outside of Metro Manila?

A: No, sir.

Q: You do not remember taking a bus for Laguna?

A: I do not remember.

Q: You mean you also do not remember that you went to Calamba, Laguna?

A: I cannot remember, sir.

Q: You don't also remember that you were introduced by the accused to his relatives in Calamba, Laguna?

A: No, sir.

Q: During the time that you were investigated by the police, do you remember having been brought by the accused to Calamba, Laguna?

A: No, sir.

Q: You did not remember that in your statement marked as Exh. B, you stated that you were brought by the accused to Laguna?

A: I remember, sir, that we went to Laguna.[14]

It is not enough to say that a girl would not expose herself to the humiliation of a rape complaint unless the charge is true. That is putting things too simply. For the prosecution to succeed, it is also necessary to find that the complainant's story is by itself believable independently of the presumption. Otherwise, if all that mattered was that presumption, every accusation of rape would inevitably result, without need of further evidence, in the conviction of the accused. This would militate against the rule that in every criminal prosecution, including rape cases, the accused shall be presumed innocent until the contrary is proved.

The established doctrine is that the conviction of the accused must rest on the strength of the prosecution and not the weakness of the defense. Even if Sandagon's version may be weak in spots, it nevertheless appears to be more credible than the story narrated by the complainant. The claim that she approached a man she did not know and willingly went with him in search of her uncle makes the tale suspect at the very start. It seems to be the prologue to a succession of inventions grown increasingly suspicious with each place supposedly visited by the two and each rape allegedly committed.

The Court also notes that although Maricel was gone for one whole month, her family did not take any action to look for her or to report her disappearance to the police. This inaction is more consistent with the appellant's claim of elopement rather than the complainant's story of abduction and rape.

The appellant's failure to introduce in evidence letters or gifts exchanged between him and Maricel, or other mementoes of their relationship, does not disprove his claim that they were sweethearts. The best evidence of this was the fact that they traveled and lived together as husband and wife for one whole month, during which period Maricel had many opportunities to leave him if she wanted to but chose not to do so. At any rate, a romance need not be documented with love letters and other protestations in writing but may develop on oral understandings and even tacit consent, without benefit of written commitments.

The situation is common enough, and familiar to this Court. There is an elopement. The girl's parents are distraught. Eventually, the repentant couple return to the girl's home. The man assures her parents that he is willing to marry their daughter and in fact begs for their permission and blessing. But the parents are unforgiving. They choose to prosecute the man and pressure the girl. Soon, with their moral ascendancy over her, she is persuaded to give testimony against her erstwhile lover. The elopement becomes an abduction with rape and the romantic escapade is reduced to a sordid affair.

While we do not suggest that this was what happened in the case at bar, such a possibility has strengthened the misgivings engendered in us by Maricel's implausible testimony. Consequently, considering the constitutional presumption of innocence in favor of the appellant, and after weighing the evidence of the parities, we have to rule that the conviction of the appellant cannot be affirmed because his guilt has not been proved beyond reasonable doubt.

ACCORDINGLY, the appealed judgment is REVERSED. Appellant Christian Sandagon is hereby ACQUITTED on reasonable doubt and ordered to be released immediately. No costs.

SO ORDERED.

Davide, Jr., Bellosillo, Quason, and Kapunan, JJ., concur.

[1] Decision penned by Judge Bernardo P. Abesamis, RTC Branch 85, Quezon City, Rollo, p. 27.

[2] TSN, February 24, 1992, pp. 2-9.

[3] TSN, March 16, 1992, pp. 43-46.

[4] Exhibit "A," Medico-Legal Certificate, Records, p. 29; TSN, February 25, 1992, pp. 14-15.

[5] TSN, April 6, 1992, pp. 60-65; 68-71.

[6] TSN, February 25, 1992, pp. 23-27.

[7] TSN, February 24, 1992, p. 4.

[8] TSN, February 25, 1992, p. 28.

[9] TSN, February 24, 1992, pp. 5-6.

[10] Ibid., pp. 7-8.

[11] TSN, February 25, 1992, p. 37.

[12] TSN, May 26, 1992, p. 89.

[13] TSN, February 25, 1992, p. 30.

[14] TSN, February 25, 1992, pp. 36-37.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.