PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. VICENTE VALLA, ACCUSED-APPELLANT.

G.R. No. 111285. January 24, 2000

Ponente: QUISUMBING, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-111285/

QUISUMBING, J.:

On appeal is the decision dated March 29, 1993 of the Regional Trial Court of Gumaca, Quezon, Branch 62, convicting appellant of the crime of rape with homicide, imposing upon him the penalty of reclusion perpetua, and ordering him to pay the heirs of the victim the amount of P50,000.00 as indemnity and P30,000.00 as actual and moral damages.

Appellant was 28 years old, married, cousin of the victim, and resident of Barangay Tayuman, San Francisco, Quezon, at the time of incident. The victim was an eight (8) year-old girl, Dyesebel "Gigi" de la Cruz, who was reported missing and the following day found raped and strangled to death near the riverbank of the Tayuman river in Quezon province.

The facts, as summarized by the Office of the Solicitor General, which we find to be supported by the records, are as follows:

> "1. On April 14, 1991, at around nine o'clock in the morning, Myra Pines, a twelve-year old girl, was passing by the ricefield near the road located at Barangay Ilayang Tayuman in the Municipality of San Francisco, Quezon Province. She was carrying bananas on her way to the crossing in said municipality. (pp. 3-6, Pines, February 5, 1991).
>
> "2. As she passed by the ricefield, she heard a voice coming from the direction of the forested area of the place and it seemed to her that someone was being strangled. Listening closely, she recognized the voice as belonging to her friend and playmate, Dyesebel de la Cruz, an eight-year old girl. Frightened at the thought that Dyesebel was being strangled, Myra scampered and proceeded to the crossing where she was originally headed for. After discharging her bananas at the crossing, she went home. (pp. 5-6, tsn, Pines, February 5, 1991).
>
> "3. Later that day, at around four o'clock in the afternoon, Barangay Captain Aristeo Allarey of Barangay Ilayang Tayuman was visited in his house by Mila de la Cruz, Dyesebel's mother, who reported that her daughter was missing. Allarey sought the assistance of his constituents and organized a search party composed of the members of the Sangguniang Barangay, a Barangay Tanod, Dyesebel's father Gonzalo de la Cruz, and other residents of the barangay. Prosecution witnesses Bayani Samadan, a Kagawad of the Sangguniang Barangay and Reynaldo Merle, a 'barangay tanod,' were among the searchers (pp. 10-13, tsn, Allarey, February 5, 1991; p. 24, tsn, De la Cruz, February 5, 1991; pp. 6-7, tsn, Merle, July 18, 1991; pp. 4-7, tsn, Samadan, September 17, 1991).
>
> "4. Barangay Captain Allarey learned from Gonzalo de la Cruz that, earlier, Dyesebel was in the company of accused-appellant Vicente Valla, and that both of them were tasked to watch the ricefield. They went to the ricefield but appellant was not there. Allarey learned from a barangay tanod that appellant was drinking liquor

in the house of a friend within the same barangay. He summoned appellant but the latter failed to immediately report to him. (pp. 14-15, and 20, tsn, Allarey, February 5, 1991).

"5. That afternoon, Allarey and his party started their search but they had to stop at around 6:30 in the evening since it was already dark. The following day, they continued their search for Dyesebel. (p. 12, tsn, Allarey, February 5, 1991; pp. 7-8, tsn, Merle, July 18, 1991).

"6. While Allarey, De la Cruz and the rest of their companions were searching for Dyesebel, they were joined by appellant who trailed behind them. Earlier, appellant spoke to Allarey and told him that he knew nothing about Dyesebel's whereabouts. (pp. 15-16, tsn, Allarey, February 5, 1991; p. 24, tsn, De la Cruz, February 5, 1991; p. 13, tsn, Merle, July 18, 1991; pp. 8-9, tsn, Samadan, September 17, 1991).

"7. At around 11:00 o'clock in the morning of that day, they finally found Dyesebel. Her body was found near the river with her neck blackened and her vagina bloodied. She was still wearing her dress but her panty had been pulled down to her mid-thigh. (pp. 13-14, tsn, Allarey, February 5, 1991; p. 23, tsn, De la Cruz, February 5, 1991; pp. 8-9, tsn, Merle, July 18, 1991; pp. 7-8, tsn, Samadan, September 17, 1991).

"8. Allarey and his companions immediately confronted appellant who, out of remorse, admitted that he raped and killed Dyesebel. Thereafter, he addressed Dyesebel's father, in the presence of Allarey and company, offering his own daughter in payment of Dyesebel's life which he took and begged for forgiveness. De la Cruz told appellant that he cannot accept appellant's daughter and, thereafter, tried to unsheath his bolo. But before De la Cruz could attack appellant, he was held back by the people around him. Appellant was ordered arrested by Allarey. (pp. 16-17 and 21, tsn, Allarey, February 5, 1991; pp. 24-26 and 28, tsn, De la Cruz, February 5, 1991; pp. 11 and 18, tsn, Merle, July 18, 1991; pp. 9-11 and 13-14, tsn, Samadan, September 17, 1991).

"9. That same day, at around one o'clock in the afternoon, Allarey, accompanied by Samadan, Merle, De la Cruz, and one Abelardo Rego, brought appellant to the police headquarters in San Francisco, Quezon. (pp. 5-6, tsn, Rosales, November 6, 1991; p. 17, tsn, Allarey, February 5, 1991).

"10. Dyesebel's body was brought to the Bondoc Peninsula District Hospital in Catanauan, Quezon, where an autopsy was performed. Dyesebel's skull bore a depression on the left temporal area which resulted from being struck with a hard object. Her pubic area bore blisters brought about by a contact with a lighted cigarette. Her hymen bore several lacerations indicative of repeated rape before and possibly, after she was killed. (pp. 4-6, tsn, Madatu, January 14, 1992)."[2]

On August 14, 1990, appellant was charged with the crime of "rape with murder" under the following Information:[3]

"The undersigned upon complaint originally filed with the Municipal Circuit Trial Court of San Francisco-San Andres, by Gonzalo de la Cruz, father of the offended party Dyesebel de la Cruz, accuses Vicente Valla (prisoner, (sic) of the crime of rape with murder, committed as follows:

"That on or about the 14th day of April 1990, at Barangay Ilayang Tayuman, in the Municipality of San Francisco, Province of Quezon, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused with lewd design, by means of force and violence, did then and there willfully, unlawfully and feloniously have carnal knowledge of one Dyesebel de la Cruz, a minor, 8 years of age, against her will; that by reason, and on the occasion of said rape, the said accused with intent to kill and with treachery and taking advantage of his superior strength, did then and there willfully, unlawfully and feloniously attack, assault and employ violence against said Dyesebel de la Cruz, thereby inflicting upon the latter injuries on vital parts of her body, which directly caused her death.

"Contrary to law."

Upon arraignment, appellant, duly assisted by counsel de oficio Atty. Ronaldo Salamillas, entered a plea of not

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

guilty to the crime charged.[4] Trial on the merits ensued.

The prosecution presented the following witnesses: (1) Myra Pines, the victim's 12 year-old playmate, who heard the victim's cries as she was being strangled, but became afraid and went home instead; (2) Aristeo Allarey, the Barangay Captain of Ilayang, Tayuman, San Francisco, Quezon, who organized a search party upon report of the mother that her daughter was missing, and before whom, appellant admitted that he raped and killed the victim, and even offered his (appellant's) daughter in return; (3) Gonzalo de la Cruz, father of the victim, who took part in the search party, and who witnessed appellant's confession to the commission of the crime; (4) Reynaldo Merle, Barangay Tanod of Barangay Ilayang, Tayuman, San Francisco, Quezon, another member of the search party; (5) Bayani Samadan, Kagawad of the Barangay, also a member of the search party; (6) Rodolfo Rosales, police investigator of San Francisco, Quezon, Philippine National Police; (7) Dr. Araceli R. Madatu, Senior Resident Physician of Bondoc Peninsula District Hospital, Catanauan, Quezon, who testified that when the cadaver was brought for examination, it was in cadaveric rigidity, the legs were spread like a woman about to give birth ("parang nanganganak"), the tongue sticking out ("nakalawit), the skull crushed ("basag"), and the pubic area had blisters resulting from cigarette burns, ("pinagpapaso ng sigarilyo"), and the vagina had a laceration up to the anus, evidencing that the child was raped.[5]

In addition to the oral evidence, the prosecution offered as documentary evidence the sworn statements of Barangay Captain Aristeo Allarey and Gonzalo de la Cruz, the Criminal Complaints filed with the Municipal Trial Court of San Francisco, San Andres, Quezon, and the Medico-legal Certificate signed by Dr. Madatu.

On the other hand, the defense presented as its witnesses (1) appellant himself who bluntly denied any participation in the rape/killing of the victim, or that he made any confessions to the barangay captain; he interposed the defense of alibi that at the time of the alleged rape/killing, he was at his house in Barangay Ilayang Tayuman, San Francisco, Quezon together with his wife, their child and his brother, caring for his sick child,[6] and (2) his father Emilio Valla, who corroborated his story.[7] The defense offered no documentary evidence.

On March 29, 1993, the trial court rendered a decision[8] finding appellant guilty of the crime of "rape with homicide," the dispositive portion of which reads:

> "WHEREFORE, premises considered, the fact that the government has proved beyond an iota of a doubt that the accused is guilty, sentences him to suffer an imprisonment of RECLUSION PERPETUA.
>
> "Further the accused is ordered to indemnify the heirs of the late Dyesebel de la Cruz the sum of P50,000.00 for her death and P30,000.00 for actual and moral damages.
>
> "SO ORDERED."

Hence, the present appeal. Appellant assigns the following errors:[9]

> - THE TRIAL COURT ERRED IN GIVING FULL WEIGHT AND CREDENCE TO THE CONFLICTING AND IMPROBABLE TESTIMONIES OF THE PROSECUTION WITNESSES.
>
> - THE TRIAL COURT ERRED IN FINDING THE ACCUSED GUILTY BEYOND REASONABLE DOUBT DESPITE INSUFFICIENCY OF EVIDENCE TO PROVE HIS GUILT BEYOND REASONABLE DOUBT.

In his brief, appellant claims that the testimony of prosecution witness Allarey was inconsistent since on direct examination, Allarey narrated that when he summoned appellant, the latter did not immediately appear,[10] but on cross-examination, he said that appellant immediately reported to him.[11] Appellant also contends that Merle's testimony that appellant was "tulala" at the time he confessed to the commission of the crime[12] was inconsistent with appellant's alleged begging for forgiveness for the crime.[13] Further, appellant adds that his statement

offering to exchange his own daughter for the victim was made because of compulsion from the crowd. Appellant further insists that his alibi should be given due consideration since the prosecution failed to overturn his alibi which was duly corroborated by the testimony of his father.

The Office of the Solicitor General, on the other hand, recommends affirmance of the judgment in toto. The OSG contends that the alleged inconsistencies, assuming them to be so, are too minor and insignificant to destroy the credibility of said prosecution witnesses, particularly where the testimonies of all the prosecution witnesses are consistent and compatible with each other on material points. Anent the defense of alibi, the OSG points out that appellant's house is located within the same barangay where the incident took place, therefore there is no physical impossibility regarding his commission of the crime.

In sum, the crucial issue centers on the assessment of credibility of the witnesses. In this case, the trial court gave full faith and credence to the testimonies of the prosecution witnesses. We find no reason to disturb this finding. As consistently held by the Court, the trial judge's evaluation of the testimony of a witness is generally accorded not only the highest respect, but also finality, unless some weighty circumstance has been ignored or misunderstood but which could change the result. Having had the direct opportunity to observe the witness on the stand, the trial judge was in a vantage position to assess his demeanor, and determine if he was telling the truth or not.[14]

The alleged inconsistency in the testimony of Allarey as to whether appellant immediately reported to him after being summoned, and in the testimony of Merle that appellant was "tulala" at the time he admitted responsibility for the crime, merely refer to minor details which do not in actuality touch upon the "whys" and "wherefores" of the crime committed.[15] Inconsistencies in the testimony of witnesses when referring only to minor details and collateral matters do not affect the substance of their declaration, their veracity, or the weight of their testimony. Although there may be inconsistencies on minor details, the same do not impair the credibility of the witnesses where there is consistency in relating the principal occurrence and positive identification of the assailants.[16] In fact, some minor inconsistencies could show that the witness was not previously coached so as to tailor his testimony, and thus they serve as badges of credibility.

Further, the prosecution witnesses, particularly the barangay officials, had no motive to falsely testify against appellant, who is their townmate, nor did they have any reason to impute such a heinous crime against appellant if it were not true. Appellant's claim that he was implicated in the crime "because he did not immediately accomplish the cutting of the grass in the ricefield"[17] is too preposterous to even merit consideration.

More importantly, the declaration of appellant acknowledging his guilt of the offense may be given in evidence against him under Section 33 of Rule 130 of the Revised Rules of Court. Note that his extrajudicial confession is corroborated by the corpus delicti as required by Section 3 of Rule 133. The Rules do not require that all the elements of the crime must be clearly established by evidence independent of the confession. Corpus delicti only means that there should be some concrete evidence tending to show the commission of the crime apart from the confession. In this case, the fact of the crime was sufficiently proven through the testimonies by witnesses such as Myra Pines, who heard the cries of the victim, and the other members of the search party who found the body of the victim, and witnessed the confession of the appellant, as well as documentary evidence presented during trial such as the medico-legal certificate (Exhibit "D") attesting that the victim had been raped and killed.

The statement of the accused asking for forgiveness and even offering his own daughter in exchange for his crime[18] may also be regarded as part of the res gestae under Section 42 of Rule 130 of the Rules of Court. Res gestae means "things done".[19] There are three requisites to admit evidence as part of the res gestae: (1) that the principal act, the res gestae, be a startling occurrence, in this case the discovery of the body of the victim; (2) the

statements were made before the declarant had the time to contrive or devise a falsehood, in this case, appellant had begged for forgiveness immediately after the body was found; and (3) that the statements must concern the occurrence in question and its immediate attending circumstances, in this case, appellant had admitted to raping and killing the victim, and even "offered" his daughter in exchange for the victim.[20]

Appellant's defense of denial and alibi is likewise riddled with glaring inconsistencies. During his testimony, he claimed that on the night of the incident, he was at home with his wife and brother, taking care of his sick child, and emphatically declared that nobody else was with them.[21] However, appellant's father testified that he was also with appellant at the time of the incident, creating a doubt regarding his alibi. Although appellant's father initially denied knowing the victim, he later admitted that he knew her as the daughter of Gonzalo de la Cruz.[22] Evidently, appellant's defense was fabricated in a desperate attempt to exculpate him.

As to the crime committed, the trial court correctly convicted appellant of the special complex crime of "rape with homicide," and not "rape with murder" as designated in the Information, since "homicide" is herein taken in its generic sense.

The aggravating circumstance of ignominy under Article 14, No. 17 of the Revised Penal Code should be appreciated considering that the medico-legal officer testified that the pubic area of the victim bore blisters brought about by a contact with a lighted cigarette. This circumstance added disgrace and obloquy to the material injury inflicted upon the victim of the crime.[23]

At the time of the commission of the crime, Art. 335 of the Revised Penal Code imposed the penalty of death when by reason or on the occasion of the rape, homicide is committed. However, the 1987 Constitution suspended the imposition of death penalty, and therefore, the trial court correctly imposed the penalty of reclusion perpetua.

As to the amount of damages, however, the trial court erred in awarding P50,000.00 only as indemnity and P30,000.00 for actual and moral damages. Hence, correction is called for. This being a case of rape with homicide, civil indemnity in the amount of P100,000.00 should be awarded, pursuant to current jurisprudence.[24] Moral damages in the amount of P50,000.00 should also be awarded to the heirs of the victim, without need of further proof.[25] In view of the attendance of one aggravating circumstance, exemplary damages in the amount of P20,000.00 should likewise be awarded, pursuant to Article 2230 of the New Civil Code. But the award of actual damages cannot be allowed for lack of supporting evidence.

WHEREFORE, the assailed decision of the Regional Trial Court of Gumaca, Quezon, Branch 62 is AFFIRMED with MODIFICATIONS. Appellant VICENTE VALLA is hereby sentenced to reclusion perpetua and ordered to pay the heirs of the victim the amount of P100,000.00 as civil indemnity, P50,000.00 as moral damages, and P20,000.00 as exemplary damages. Costs against appellant.

SO ORDERED.

Bellosillo, (Chairman), Mendoza, Buena, and De Leon, Jr., JJ., concur.

---

[1] The Information and Decision did not indicate his middle name.

[2] Rollo, pp. 88-92.

[3] Records, pp. 2-3.

[4] Records, p. 8.

[5] TSN, January 14, 1992, pp. 4-6.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

[6] TSN, July 21, 1992, pp. 3-11.

[7] TSN, November 4, 1992, pp. 3-10.

[8] Records, pp. 228-245.

[9] Rollo, p. 48.

[10] TSN, February 5, 1991, p. 15.

[11] Id. at 20.

[12] TSN, July 18, 1991, p. 13.

[13] Id. at 11.

[14] People vs. Sanchez, 302 SCRA 21, 45 (1999).

[15] Id. at 51; People v. Muñoz, 163 SCRA 730, 743 (1988).

[16] Ibid.; Sumalpong v. CA, 268 SCRA 764, 771 (1997); People v. Sison, 189 SCRA 643, 648 (1990).

[17] TSN, July 21, 1992, p. 10.

[18] TSN, February 5, 1991, pp. 16, 25; TSN, July 18, 1991, p. 11; TSN, September 17, 1991, pp. 10-11.

[19] People v. Sanchez, 213 SCRA 70, 78 (1992), citing Underhill’s Criminal Evidence, 5th ed. vol. I., section 266, p. 664.

[20] People v. Manhuyod, Jr., 290 SCRA 257, 273 (1998).

[21] TSN, July 21, 1992, p. 4

[22] TSN, November 4, 1992, p. 3-4

[23] People v. Acaya, 163 SCRA 768, 774 (1988).

[24] People v. Robles, G.R. No. 124300, March 25, 1999, p. 11.

[25] Id. at 12.

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.