PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. QUIRINO QUIJADA Y CIRCULADO, ACCUSED-APPELLANT.

G.R. No. 114262. November 25, 1999

Ponente: PARDO, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-114262/

PARDO, J.:

Rape is a grave physical violation. It debases a woman's dignity, leaves a scar in her body and soul that not even time can heal. It subjects the woman's honor to scorn and its violation to public condemnation. At times the victim is left not only with her pain, but worse with a child conceived not out of love but lust and bestiality.

In an information filed with the Regional Trial Court, Tagbilaran City on June 27, 1991, third assistant provincial prosecutor Dionisio R. Calibo, Jr., upon a sworn complaint of Leonida Brina, charged accused-appellant, Quirino Quijada y Circulado, with robbery with rape, thus:

> "That on or about the 27th day of April 1991 at about 3:00 dawn, in the municipality of Bohol, Philippines and within the jurisdiction of this Honorable Court, the above-named accused with intent to gain and through force and intimidation by threatening the victim with a knife and boxing and kicking her, did then and there, after the victim had lost consciousness, willfully, unlawfully and feloniously have carnal knowledge of one Leonida Brina against the will of the latter and also take, steal and carry away from the victim cash in the amount of ONE HUNDRED FIFTY (P150.00) Pesos, Philippine Currency and a wristwatch valued at ONE THOUSAND PESOS, Philippine currency, without the consent of the victim; to the damage and prejudice of the said Leonida Brina.
>
> "Acts committed contrary to the provisions of Article 293 and 294 in relation to article 335, 48 and 14 of the Revised Penal Code with the aggravating circumstance of nighttime being sought purposely by the accused to facilitate the commission of the crime."[1]

Upon arraignment on August 15, 1991, accused-appellant entered a plea of not guilty. Trial ensued and on December 13, 1993, the trial court rendered decision finding accused-appellant guilty of rape, not robbery with rape, thus:

> "WHEREFORE, the court finds accused Quirino Quijada y Circulado guilty beyond reasonable doubt of the crime of Rape, defined and penalized by Article 335 of the Revised Penal Code and hereby sentences him to suffer the penalty of reclusion perpetua with all its accessory penalties, to indemnify the offended party Leonida Brina the sum of P40,000.00, as moral damages and P20,000.00 as exemplary damages.
>
> "SO ORDERED."
>
> "City of Tagbilaran, December 13, 1993.
> "(s/t) ACHILLES L. MELICOR
> "Presiding Judge"[2]

Hence, this appeal.

The trial court relied on the testimony of the victim Leonida Brina, which was corroborated by other prosecution witnesses and the medico legal report of Dr. Fatima L. Buhay, who also testified in court. The defense put up by accused-appellant was denial, which was not corroborated by any other witness.

The facts of the case are as follows:

On April 27, 1991, at early dawn, Leonida Brina was at a waiting shed situated at the corner of Hinlayagan Street and the national highway waiting for the first trip of a passenger bus bound for Bilar, Bohol for she was to go home thereat. She was with Nerio Depalas who had accompanied her to the waiting shed from the house of Tony Hinlayagan upon the instruction of the latter.

After five minutes, accused-appellant Quirino Quijada arrived at the waiting shed. Nerio Depalas asked him if he was also waiting for the bus and the latter answered in the affirmative. Leonida Brina, feeling a little stomach pain and in need of a cup of coffee, asked Nerio Depalas to get a cup of coffee from the house of Tony Hinalayagan which was just 100 meters away from the waiting shed, to which Nerio acceded. Almost simultaneously, Quijada likewise excused himself to get his bag.

After a few minutes, accused-appellant Quijada returned and embraced Leonida Brina. She resisted the advances of accused-appellant Quijada, but he boxed her in the abdomen and poked his knife at her neck. Then accused-appellant held her neck and pulled her across the road. Accused-appellant instructed Leonida Brina to remove her panty but she refused, which angered accused-appellant. He kicked Leonida until she fell to the ground unconscious. Upon regaining consciousness, Leonida discovered that her panty had been removed and that she was raped. Her wallet containing P150.00 and her Seiko watch valued at P1,000.00 were missing.[3]

Nerio who left to get coffee returned and saw that Leonida and Quijada were no longer at the waiting shed. Using his flashlight, he looked around and saw Quijada coming out of the direction of a teak tree flagging down a Saint Jude bus and boarded the bus. Almost immediately, Nerio saw Leonida come out of the same direction and run towards the same bus. The bus stopped and Leonida boarded the bus. Suspecting that something bad had happened, Nerio went to the "teak tree" and found a panty that was stained with semen. He brought it to the house of Tony Hinlayagan.[4]

SPO1 Tertuliano Tejada was also on board the Saint Jude bus. Leonida Brina reported to him that she was raped and robbed. She was hysterical while narrating the incident, then she fainted.[5]

Accused-appellant Quirino Quijada, on the other hand, testified on April 26, 1991, that he was at the house of Candelario Quijada at Hinlayagan, Trinidad, Bohol, attending the town fiesta. And that, at around 3:00 in the morning, he was able to board a Saint Jude bus. Almost immediately after he boarded the bus, a woman who was obviously in a state of shock boarded the bus. Accused-appellant saw her since she was seated obliquely from where he was sitting, a distance of around one meter.

Leonida Brina was in shock and when she saw a policeman, she embraced the policeman and told him that she was raped and robbed. The policeman, together with other bus passengers, brought Leonida Brina to the San Miguel Police Station. At the police station, a policeman asked accused-appellant whether he was a passenger of the bus, to which accused-appellant answered in the affirmative.

Accused-appellant heard the investigating officer asking Leonida Brina if she knew the person who raped and robbed her, and Leonida Brina answered that she did not know. Then the police investigator also asked accused-appellant what is his complete name and where he lived. After which, he left the station and boarded another truck bound for Tagbilaran. Leonida Brina was brought by the police to Trinidad. On May 1, 1991, accused-appellant was invited by the police together with Leonida Brina to go with them to the municipal hall of

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

Dauis, Bohol. Upon reaching the municipal hall at around 10:00 in the morning of May 1, 1991, he was told that an affidavit would be taken from him at Trinidad. They left for Trinidad at around 3:00 in the afternoon.

Upon reaching Trinidad, Bohol, accused-appellant was informed of the accusation against him and then he was put in jail.

Accused-appellant denied that he was at the waiting shed of Hinlayagan, Trinidad, Bohol, on April 27, 1991, as testified to by Nerio Depalas. He said that before the trial of the case, Tony Hinlayagan, Reinerio Depalas and Nonie Tejada approached him and asked him if he wanted to settle the case for the amount of P20,000.00. He refused for he did not commit any crime.[6]

Dr. Fatima L. Buhay, medical officer of Garcia Memorial Hospital, Talibon, Bohol, testified that she examined the victim, Leonida Lumantay Brina on April 27, 1991 and found that there was presence of spermatozoa, lacerated wound index finger right and single linear abrasion on the neck, anterior portion, but there was no laceration of the hymen.[7]

In his appeal, accused-appellant claimed that the trial court erred in finding him guilty of rape because he was innocent and that the trial court erred in not appreciating in his favor the settled guiding principles in the review of rape cases.[8]

In resolving this appeal, we take note of the guiding principles in reviewing rape cases, to wit: "(a) an accusation for rape can be made with facility; it is difficult to prove but even more difficult for the accused, though innocent, to disprove; (b) in view of the intrinsic nature of the crime where only two (2) persons are usually involved, the testimony of the complainant must be scrutinized with extreme caution; and (c) the evidence for the prosecution must stand or fall on its own merit, and cannot be allowed to draw strength from the weakness of the evidence for the defense."[9]

After careful consideration of the testimonies of the witnesses both of the prosecution and the defense, the ineluctable conclusion is that indeed accused-appellant Quirino Quijada raped Leonida Brina. The testimony of Leonida Brina was given in a straightforward, clear and convincing manner. During the cross-examination, she was unwavering and her answers were consistent. She never changed her account of what transpired. "Her revelation, coupled with her voluntary submission to medical examination and her willingness to undergo public trial where she was compelled to give out the details of the assault on her dignity, can not so easily be dismissed as a mere concoction."[10]

> "The crime of rape is essentially one committed in relative isolation or even secrecy, hence it is usually only the victim who can testify with regard to the fact of the forced coitus."[11]
>
> "It is an accepted doctrine, that in the absence of evidence of improper motive on the part of the victim to falsely testify against the accused, her testimony deserves credence."[12] There is no evidence showing that Leonida Brina or the other witness, Nerio Depalas, had any improper motive to frame-up accused-appellant, and absent such proof, the testimony of the victim sufficed to convict accused-appellant.

The allegation of accused-appellant that it was impossible for Leonida Brina to identify him since the waiting shed had no light and that it was a moonless night is untenable because witness Nerio Depalas and Leonida Brina had a five minute conversation with accused-appellant during that time, with light coming from a flashlight, they saw the face of accused-appellant.

The accused-appellant could not produce any witness to prove his claim that he was not at the scene and time of the incident. His mere denial does not merit serious consideration. We are therefore morally certain that accused-appellant raped Leonida Brina, who gave birth to a baby boy. Because of what happened, her husband

left her. Leonida Brina dared and went through a lot of trouble to obtain justice for herself and her family. We hold that the prosecution has proved the offense charged beyond reasonable doubt.

IN VIEW WHEREOF, we AFFIRM the decision of the lower court, with modification that the award of moral damages is increased to P50,000.00.

With costs.

SO ORDERED.

Davide, Jr., C.J., (Chairman), Puno, Kapunan, and Ynares-Santiago, JJ., concur.

---

[1] Original Records I, Information, p. 4.

[2] Original Records III, p. 71.

[3] TSN, August 12, 1992, pp. 3-7.

[4] TSN, July 20, 1992, pp. 7-11.

[5] TSN, August 5, 1992, p.3.

[6] TSN, April 1, 1993, pp. 3-16.

[7] RTC Record, Medical Certificate, p. 8.

[8] Rollo, Brief for the Accused-Appellant, pp. 37-51, at pp. 44-48.

[9] People vs. Abangin 297 SCRA 655 [1998]; People vs. Ramirez, 266 SCRA 335, 347, [1997], citing People vs. Guamos, 241 SCRA 528, 531 [1995]; People vs. Casinilio, 213 SCRA 325, [1992]; People vs. De la Cruz, 207 SCRA 449 [1992].

[10] People vs. Onobia, G. R. No. 128288, April 20, 1999.

[11] People vs. Sagun, G. R. No. 110554, February 19, 1999, citing People vs. De Guzman 265 SCRA 228 [1996]; People vs. Domongo, 226 SCRA 156 [1993].

[12] People vs. Onobia, supra, citing People vs. People vs. Ramirez, 266 SCRA 335, 352, [1997]; People vs. Abad, 268 SCRA 246, 256 [1996].

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

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.