

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. NICOLAS RAMOS, ACCUSED-APPELLANT.

G.R. No. 120280. April 12, 2000

Ponente: PARDO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-120280/>

PARDO, J.:

On February 24, 1992, Mary Ann A. Ramos, a ten (10) year old girl, charged her father Nicolas Ramos with rape in a sworn complaint which reads as follows:

"That on or about January 10, 1991, in the evening thereof, at Poblacion, Mobo, Masbate, the above-named accused taking advantage of the confidence repose upon him by the undersigned complainant being his daughter, by use of deadly weapon, did then and there willfully, and feloniously have a carnal knowledge with the private offended party against her will and consent.

Contrary to law.[1]

On March 27, 1992, Assistant Provincial Prosecutor Edmundo O. Legaspi of Masbate, approved by Provincial Prosecutor Hermenegildo F. Betonio, Jr., filed with the Regional Trial Court, Masbate, Branch 47, an Information against accused Nicolas Ramos for rape.[2]

On June 15, 1992, upon arraignment, accused assisted by Public Attorney Percival D. Castillo, pleaded not guilty to the charge. Trial ensued.

On March 3, 1995, after trial, the trial court rendered a decision finding accused guilty of rape, and sentencing him thus:

"WHEREFORE, the guilt of accused Nicolas Ramos having been established beyond reasonable doubt, he is CONVICTED of the crime of rape and as a consequence, is hereby sentenced to suffer the penalty of Reclusion Perpetua; to indemnify the victim Mary Ann Ramos in the sum of P40,000.00; to suffer the accessory penalties therefor and to pay the costs.

"In the service of his sentence, credit the said accused with the full period of his preventive detention.

"IT IS SO ORDERED."[3]

In arriving at its decision, the trial court gave credence to the testimony of complainant Mary Ann Ramos on what the accused did to her, to wit:

"On January 10, 1991, at about midnight, while Mary Ann Ramos was sleeping in the house of her grandmother, she was awakened by her father Nicolas Ramos. Her father undressed her including her panty (sic), then he took off his pants, then opened her thigh and inserted his penis in her vagina. She felt pain on her private part and saw blood coming out from it. The accused covered the victim's mouth using one hand to prevent the latter from shouting. Her grandmother was then at the sea pulling fish net and arrived at about 5:00 o'clock in the morning of the following day but Mary Ann never told her grandmother about what had happened because she was afraid of her father who threatened her.[4] In fact she did not tell anybody about the

incident until about three (3) months later when her aunt Eva Belaguin brought her to Manila for the summer vacation. It was to her that the victim for the first time revealed the incident. Her aunts Eva Belaguin and Lorie Abanador, did not know what to do after Mary Ann's revelations and it was only in October, 1991 that they sought the assistance of the personnel of the Department of Social Welfare and Development which in turn referred them to the PNP Crime Laboratory Service at Camp Crame, Quezon City for medical examination. Four months thereafter, or on February 24, 1992, the complaint was filed before the 7th Municipal Circuit Trial Court of Mobo, Milagro."^[5]

Aside from the complainant Mary Ann Ramos, Dr. Vladimir Villasenor, medico legal officer of PNP Crime Laboratory, Camp Crame testified for the prosecution. His findings indicated:

"Genital:

There is lanugo type growth of pubic hair. Labia majora are full, convex and coaptated with dark brown labia minora presenting in between. On separating the same is disclosed an elastic, fleshy-type and congested hymen with shallow, healed lacerations at 3 and 8 o'clock positions. External vaginal orifice offers strong resistance to the introduction of examining index finger and the virgin-sized vaginal speculum. Vaginal canal is narrow with prominent rugosities. Cervix is normal in size, color and consistency."^[6]

Accused-appellant interposed the defense of denial. He said that in the evening of January 10, 1991, he and his daughter Mary Ann were living in the house of his mother at Poblacion, Mobo, Masbate. The house has a total area of 15 square meters without any room. They used to sleep in that single open hall together with his youngest sister and youngest brother. That evening, he was at sea fishing by means of a net together with Jose Bitoon Ramos, Eduardo Tugbo, Zaldy Masamoc, Poldo Maglente and other persons whose names he forgot. It took them until morning to go home for they had to service their fishing lamps and it would take them two (2) hours to finish each net casting. They finished pulling the net at about 4:00 in the morning. He claimed that it would not be possible for one of the crews to go home at night for there would be not enough persons to pull the net. There were about nine or ten persons involved in net fishing. He was in-charge of casting the net at sea. This job needed skill, so he could not just leave the fishing boat.^[7]

He further claimed that Mary Ann Ramos filed a complaint and testified against him only at the prodding of Eva Belaguin who blamed him for the death of his wife Lorna, Eva Balaguin's sister. Eva thought that accused had maltreated his wife when she was still alive. The defense further advanced the theory that in Eva's desire to have custody of Mary Ann Ramos, she instigated the latter to file a complaint against accused.^[8]

Witness Pacencia Ramos testified that her son Nicolas Ramos and granddaughter Mary Ann were staying in her house at Piersite, Poblacion Mobo, Masbate; that in the evening of January 10, 1991, her son Nicolas being a fisherman, went to sea together with his companions Poldo Maglente and other fishing crew members. They left at 9:00 p.m. and returned at 5:00 o'clock the next morning as they usually do. That night, her granddaughter Mary Ann slept with her.^[9]

Leopoldo Maglente testified that on January 10, 1991, he together with Nicolas Ramos, Eduardo Raniola, Zaldy Masamoc, Toti Ramos, Eddie Tugbo and Popong Ramos were at sea fishing at Buntod Island. They left at 8:00 in the evening and returned home at 6:00 the following morning. He was the team leader and Nicolas Ramos was tasked to drop the net to the sea.^[10]

Accused-appellant urges this Court to acquit him on the basis of a lone assignment of error that the trial court gravely erred in giving full weight and credence to the testimony of complainant and in disregarding the theory interposed by the defense.

In his brief, accused-appellant questions the factual findings of the trial court on the credibility of the rape victim.

The Court finds no basis to reverse the findings of the trial court that the testimony of the victim is credible. The trial court stated that the testimony of Mary Ann Ramos was spontaneous, straight-forward and positive.[11]

As a general rule, we will not disturb the findings of the trial court on matters relating to the credibility of witnesses. It has thus become doctrinal that the evaluation of testimonial evidence by trial courts is accorded great respect precisely because of its chance to observe first-hand the demeanor of the witnesses, a matter which is important in determining whether what has been testified to may be taken to be the truth or falsehood.[12] Absent any showing that certain facts of substance and significance have been plainly overlooked or that the trial court's findings are clearly arbitrary,[13] the conclusions reached by the trial court must be respected and the judgment rendered affirmed.

In the present case, accused-appellant claims that the charges brought against him were concocted by his sister-in-law, Eva. This theory is not deserving of serious consideration. It is not in accord with human experience to charge the girl's father with rape and expose her to public scrutiny and humiliation. When there is no evidence to show any improper motive on the part of the complainant to testify against the accused or to falsely implicate him in the commission of the crime, the logical conclusion is that the testimony is worthy of full faith and credence.[14]

Furthermore, a rape victim's testimony is entitled to greater weight when she accuses a close relative of having raped her, as in the case of a daughter against her father.[15] Earlier and long-standing decisions of this Court have likewise held that when a woman testifies that she has been raped, she says all that is needed to signify that the crime has been committed. This is true when made against any man committing the crime; it is more so when the accusing words are said against a close relative.[16]

WHEREFORE, we AFFIRM the decision of the trial court finding accused-appellant NICOLAS RAMOS guilty beyond reasonable doubt of rape[17] and imposing upon him the penalty of reclusion perpetua,[18] with the modification that accused-appellant shall pay the increased amount of P50,000.00 as civil indemnity and an additional P50,000.00 as moral damages. Costs against accused-appellant.

SO ORDERED.

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

[1] Record, p. 59.

[2] Docketed as Criminal Case No. 6611, Rollo, p. 5.

[3] Rollo, pp. 14-20.

[4] TSN, July 21, 1992, pp. 3-5.

[5] Original Records, pp. 59; Rollo, pp. 3-4.

[6] Records, p. 60, Exhibit "B".

[7] TSN, April 7, 1994, pp. 1-7.

[8] TSN, April 14, 1994, pp. 3-6.

[9] TSN, January 14, 1994, pp. 1-9.

[10] TSN, June 2, 1994, pp. 1-5.

[11] RTC Decision, Rollo, pp. 16-17.

[12] *People vs. De Los Reyes*, G.R. No. 124895, March 1, 2000 citing *People vs. Lopez*, 302 SCRA 669.

[13] *People vs. Renola*, G.R. No. 12290912, June 10, 1999.

[14] *People vs Escala*, 292 SCRA 48 (1998)

[15] People vs. Carullo, G.R. No. 129289, July 29, 1999.

[16] People vs. Catoltol, 265 SCRA 109 (1996)

[17] Defined and penalized under Article 335, Revised Penal Code, in force at the time of the commission of the offense in 1991 (People vs. Apostol, G.R. No. 123267-68, December 09, 1999)

[18] R.A. No. 7659, amending Article 335, Revised Penal Code was effective on December 31, 1993 (People vs. Midtomod, 283 SCRA 395, 405 (1997); People vs. Tanail, G.R. No. 125279, January 28, 2000)

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.