

PEOPLE OF THE PHILIPPINES, APPELLEE, VS. CHRISTOPHER DE JESUS, APPELLANT.

G.R. No. 181591. January 21, 2010

Ponente: CARPIO MORALES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-181591/>

CARPIO MORALES, J.:

By Decision[1] of October 19, 2007, the Court of Appeals affirmed the conviction of Christopher de Jesus (appellant) for rape of AAA.[2]

The Information against appellant reads:

That on or about the 5[th] day of April, 1999, in the municipality of Malolos, [province of] Bulacan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, armed with a kitchen knife, and by means of force and intimidation, did then and there willfully, unlawfully and feloniously, with lewd designs, have carnal knowledge of one AAA, against her will and without her consent.

The following facts are not controverted.

At past 12 midnight of April 5, 1999, appellant had sexual intercourse with the then 23-year old AAA, a mother of two and separated from her husband, at the ground floor of her two-storey house in Pamarawan, Malolos, Bulacan. Later that morning, AAA disclosed to her sister that she was raped by appellant, her (AAA's) neighbor and classmate during her elementary schooling. AAA and her sister immediately reported the incident to the barangay captain.

In the afternoon also of April 5, 1999, AAA executed a sworn statement before the local police in Malolos, Bulacan giving details of how she was raped by the then liquor-smelling appellant including his poking of a knife at her and threatening to kill her and her children if she shouted. Still in the afternoon also of April 5, 1999, AAA was medically examined by Dr. Manuel C. Aves, medico-legal officer detailed at the Bulacan Provincial Crime Laboratory, who came up with the following:

Findings:

The victim is in lean physical built, coherent female, the breast, hemispherical, dark brown areola, the abdomen is flat. No signs of physical injury.

The pubic hair is moderate, labia majora, coaptated and full, light pinkish, labia minora. Hymenal remnant at both lateral abrasion and laceration deep fresh and superior border at 3, 10 o'clock of the hymen. Moderate resistance upon inserting examining finger, prominent rugosities, xxx

Conclusion:

Hymenal remnane at both lateral and superior border abrasion and laceration deep fresh at 3, 10 o'clock of the hymen.[3] (Underscoring supplied)

Hence, the filing of the Information for rape against appellant before the Regional Trial Court (RTC) of Malolos.

Denying the charges and interposing the "sweetheart" defense, appellant gave the following version:

After drinking in the afternoon of April 4, 1999 with AAA's brother CCC in the house of AAA, he slept at CCC's room at the second floor of the house and woke up at 12:30 A.M. of April 5, 1999. As he went down to relieve himself, he saw at the ground floor AAA, his sweetheart of five months. On AAA's initiative, the two of them had, as in three previous occasions, sexual intercourse. AAA had, that early morning, suggested as she did days earlier, that the two of them elope, she fearing that her parents might beat her if they came to know of their relationship. As before, he was not warm to AAA's suggestion as he had no money. After their sexual intercourse, they slept on the sofa.[4] He woke up at 3:30 A.M. and left for home to enable him to help his mother deliver fish at the "punduhan" of their barangay.[5]

Appellant surmised that AAA filed the rape complaint against him as he did not accede to her desire to elope with him.

Branch 78 of the RTC of Malolos, finding that force and intimidation attended appellant's sexual congress with AAA, viz:[6]

x x x x

The accused's use of a fan knife poked at the complainant before and during the sexual abuse constitutes sufficient force as contemplated under Article 335. The accused even went beyond employing force, he likewise intimidated the complainant by threatening to kill her and her children should she shout or make any noise.[7]

x x x x (emphasis and underscoring supplied),

convicted appellant, disposing as follows:

WHEREFORE, the foregoing considered, this Court hereby finds accused Christopher de Jesus alias Tuping GUILTY beyond reasonable doubt of the crime of Rape defined and penalized under the provisions of Art. 266-A and Art. 266-B of the Revised Penal Code, as amended by Republic Act No. 7659 and sentences him to suffer the penalty of Reclusion Perpetua and to pay private complainant AAA the amount of Fifty Thousand Pesos (P50,000.00) as moral damages and Fifty Thousand Pesos (P50,000.00) as ex-delicto damages. With cost.

SO ORDERED.[8] (emphasis in the original)

On appellant's filing of a notice of appeal, the Court referred the case to the Court of Appeals by Resolution of March 15, 2006 following *People v. Mateo*. [9]

By Decision [10] of October 19, 2007, the Court of Appeals affirmed, as reflected above, the trial court's decision in this wise,

It is a time-honored doctrine that the trial court's assessment of the credibility of a witness is entitled to great weight on appeal. The reason therefor is that the trial judge enjoys the peculiar advantage of observing first-hand the deportment of the witnesses while testifying and is, therefore, in a better position to form accurate impressions and conclusions on the basis thereof.

x x x x

No woman would concoct a story of defloration, allow an examination of her private parts, and thereafter pervert herself by being subjected to a public trial, especially in the present case where X had minor children to protect, if she was not motivated solely by the desire to have the culprit apprehended and punished.[11] (emphasis and underscoring supplied)

Hence, the present appeal.

By Resolution of April 2, 2008, the Court required the parties to simultaneously file their respective supplemental briefs if they so desired within thirty (30) days from notice.[12] Both parties manifested that they are adopting their respective briefs filed before the appellate court.

The appeal fails.

That AAA on the same day of the incident at once reported it to her sister, to the barangay captain, and to the police before which she executed a sworn statement, claiming early on that she was, without her consent and by force and threats, ravished by appellant, and that she, also on the same day of the incident, subjected herself to physical examination which showed that she had fresh laceration in her vagina readily convince that she was, as she claimed, raped.

Upon the other hand, appellant's tale of how the incident came about -- on seeing AAA, his girlfriend of five months, as he went down AAA's house to relieve himself, he and she, on her initiative, had sexual intercourse in the course of which she suggested that they elope but he declined -- is shallow, if not incredulous. A young mother, initiating having sexual intercourse with a liquor-smelling man and then suggesting eloping with him to thus leave her two minor children behind is contrary to the common nature and experience of man.

IN FINE, appellant failed to overcome the evidence presented by the prosecution that he is guilty beyond reasonable doubt.

WHEREFORE, the Decision of October 19, 2007 of the Court of Appeals is AFFIRMED.

SO ORDERED.

Puno, C.J., Chairperson, Carpio Morales, Leonardo-De Castro, Bersamin, and Villarama, Jr., JJ., concur.

[1] Penned by Associate Justice Aurora Santiago-Lagman with the concurrence of Associate Justices Bienvenido L. Reyes and Apolinario D. Bruselas, Jr.

[2] The Court shall withhold the real name of the victim and shall use fictitious initials instead to represent her. Likewise, the personal circumstances of the victims-survivors or any other information tending to establish or compromise their identities, as well as those of their immediate family or household members, shall not be disclosed. (People v. Cabalquinto, G.R. No. 167693, September 19, 2006, 502 SCRA 419-420)

[3] Records, "Biological Science Report No. NR-055-99 offered by the prosecution in its Formal Offer of Evidence as Exhibit B," p. 265.

[4] TSN, October 8, 2001, p. 408.

[5] Ibid.

[6] RTC Decision of September 2, 2002, records, pp. 289-294.

[7] Id. at 293.

[8] Id. at 294.

[9] G.R. Nos. 147678-87, July 7, 2004, 433 SCRA 640. The case modified the pertinent provisions of the Revised Rules on Criminal Procedure, more particularly Section 3 and Section 10 of Rule 122, Section 13 of Rule 124, Section 3 of Rule 125 insofar as they provide for direct appeals from the Regional Trial Courts to the Supreme

Court in cases where the penalty imposed is death, reclusion perpetua or life imprisonment and allowed intermediate review by the Court of Appeals before such cases are elevated to the Supreme Court.

[10] Vide note 1.

[11] Rollo, pp. 9-10.

[12] Id. at 17.

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.