

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. XXX AND YYY, ACCUSED-APPELLANTS.

G.R. No. 281138, July 13, 2026

Ponente: HERNANDO, J.

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HERNANDO, J.:

This Appeal[2] challenges the Decision[3] of the Court of Appeals (CA) which affirmed with modifications the Joint Decision[4] of conviction rendered by the Regional Trial Court (RTC), Branch 23, [5] against XXX and YYY.

The CA found XXX guilty beyond reasonable doubt of simple rape under Article 266-A(l)(a) in relation to Article 266-B of the Revised Penal Code, as amended. Meanwhile, YYY was found guilty beyond reasonable doubt of lascivious conduct under Section 5(b) of Republic Act No. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act.

The Antecedents

XXX was originally charged with rape under Article 266-A(l)(a) of the Revised Penal Code, as amended.[6] YYY faced two separate charges: acts of lasciviousness under Article 366 of the Revised Penal Code in relation to Section 5(b) of Republic Act No. 7610;[7] and rape through sexual [s]exual [a]ssault under Article 266-A(l)(2) of the Revised Penal Code.[8]

The accusatory portions of the respective Informations read as follows:

[Criminal Case No. 7633-2022]

That on or about January 2022, in the , Philippines, and within the jurisdiction of this Honorable Court, the above-named accused [XXX], by means of force and intimidation, willfully, unlawfully and feloniously had carnal knowledge of the private complainant [AAA],[9] a twelve (12) year old minor, against her will by inserting his penis into her vagina, to the damage and prejudice of the private complainant.

CONTRARY TO LAW.[10] (Emphasis in the original)

[Criminal Case No. 7636-2022]

That on or about March 23, 2022, in the , Philippines, and within the jurisdiction of this Honorable Court, the said accused [YYY], actuated by lust, with lewd design and deliberate intent to cause malice and gratify his sexual desire and/or bestiality, willfully, unlawfully and feloniously commit lascivious conduct against [AAA], twelve (12) year old minor, by removing her shirt and pajama then touching her breast which act does not only demean, debase and degrade the intrinsic worth and dignity of [AAA] as a child but is also prejudicial to her growth and development.

CONTRARY TO LAW.[11] (Emphasis in the original)

[Criminal Case No. 7637-2022]

That on or about July 13, 2022, in the Municipality of , Philippines, and within the jurisdiction of this

Honorable Court, the above-named accused [YYY], by means of force and intimidation, willfully, unlawfully and feloniously sexually [s]exual [a]ssaulted private complainant [AAA], a twelve (12) year old minor, against her will by inserting his penis into her vagina, to the damage and prejudice of the private complainant.

CONTRARY TO LAW.[12] (Emphasis in the original)

Upon arraignment, XXX and YYY both pleaded not guilty to the charges.[13] Following pre-trial, a joint trial on the merits ensued.[14]

Version of the Prosecution

The prosecution's case rested primarily on the testimony of AAA, which was supported by the corroborating statements of her paternal grandmother, BBB.[15]

To establish AAA's minority at the time of the offenses, the prosecution offered her Certificate of Live Birth in evidence, confirming her date of birth as July 10, 2009.[16] When the sexual molestations began, AAA was only 12 years old and residing in the Municipality of .[17]

On July 18, 2022, AAA underwent a physical examination at the Office of the Municipal Health Officer. The medical findings revealed hymenal lacerations at the 3, 6, and 9 o'clock positions.[18]

In open court, AAA positively identified her abusers as XXX (whom she called ""[19]) and YYY (whom she called ""[20]) and recounted the harrowing details of the molestations she endured.

Criminal Case No. 7633-2022

The cycle of abuse began in January 2022. Sometime during that month, at around 1:00 p.m., while AAA was home alone, XXX entered the room and ordered her to undress. When she hesitated, he threatened to kill her. Paralyzed by fear, AAA complied. XXX grabbed her hands, fondled her, removed her underwear, and sucked her breasts. He then forced her onto the floor, removed his clothes, and forcibly penetrated her vagina with his penis.[21]

AAA wept in pain and begged XXX to stop, but her pleas were ignored. The molestation only ended when AAA's brother arrived at the house, prompting XXX to quickly dress and flee. Before leaving, XXX issued a chilling warning that he would kill her if she ever disclosed the incident to anyone.[22]

For months, AAA kept her silence. She did not disclose the rape during the initial stages of the investigation out of profound fear. It was only later, under the gentle prodding of the public prosecutor, that she finally revealed the truth, "unable to bear the weight of what happened alone".[23]

Criminal Case No. 7636-2022

At around 1:00 a.m. on March 23, 2022, while AAA and her three younger siblings were inside their home, she was jolted awake to find YYY stripping off her shirt and pajamas. She fought back, kicked him and threatened to report him to her grandmother BBB. YYY claimed he would only do it "one time" and proceeded to caress her breasts. However, AAA's persistent resistance and warnings eventually compelled YYY to leave. She spent the rest of the night in tears, too terrified to return to sleep.[24]

Criminal Case No. 7637-2022

Months later, YYY returned. At around 11:00 p.m. on July 13, 2022, while AAA and her siblings were asleep, he entered the house. AAA woke up to find YYY removing her pajamas. He rubbed and inserted his finger into her vagina. The pain was so intense that AAA nearly fainted. She struck him with a pillow and begged him to stop

until he finally fled out of the house.[25]

AAA was certain that YY Y was the perpetrator in both instances (Criminal Case Nos. 7636-2022-7637-2022). She was intimately familiar with his voice and appearance, as he was her grandmother BBB's brother-in-law, and their long-time neighbor.[26]

AAA had no parents to rely on as her mother was abroad, and her father was consistently absent. She described their house as a small, single-room dwelling made of kalakat (woven bamboo) with holes that allowed outside light to illuminate the room. Although the house previously had a door lock, her father had removed it, leaving the house easily accessible to anyone.[27]

AAA explained that her deep terror prevented her from screaming or creating a commotion, or to do anything at all. She chose to beg for mercy rather than risk the deadly retaliation threatened by XXX, or potential violence from YYY.[28]

The truth began to unfold on July 14, 2022. BBB testified that she noticed a drastic change in AAA, who appeared weak, withdrawn, and visibly terrified to leave the house. When BBB gently asked what was wrong, AAA broke down and disclosed YYY's abuse. They subsequently reported the incidents to the Municipal Police Station.[29]

The full scope of the abuse emerged during a subsequent interview at the prosecutor's office. With BBB's emotional support, AAA finally revealed that XXX had been the first to violate her.[30]

Despite AAA's apparent nervousness on the witness stand, AAA's testimony remained steadfast throughout.[31]

Version of the Defense

The defense presented the testimonies of XXX and YYY. Their testimonies centered on denials, alibi, and insinuation of alternative culprits.[32]

XXX's defense focused on his whereabouts during the time of the first alleged sexual abuse in January 2022. He claimed that from November 2021 until mid-March 2022, he lived and worked at a mangosteen farm in .[33] He only returned to the family home on March 14, 2022, to celebrate his and his mother's birthdays. However, on cross examination, it was established that XXX owned a motorcycle and that the commute between his workplace and AAA's house was a mere 30-minute ride.[34]

XXX averred that it was "common knowledge" in their barangay that AAA's own father had raped her before fleeing the area. He pointed out that his name was not included in the initial medico-legal report,[35] and suggested the charges were retaliatory, citing a prior physical altercation between himself, YYY and AAA's father.[36]

YYY expressed dismay at being charged alongside his son, XXX. Like XXX, YYY maintained that the community was fully aware of the sexual abuse AAA suffered from her father, implying that he and his son were being wrongly blamed or mere scapegoats.[37]

As regards the March 2022 incident, YYY claimed that he was working in Habitat, from March 22, 2023 until the evening of March 23, 2022, and only returned home on the 23[rd] to celebrate his wedding anniversary privately with his wife.[38]

Regarding the July 13, 2022 incident, YYY attested that he had dinner with his wife, went to sleep at 8:00 p.m., and woke up at 4:00 a.m. the next morning for coffee before leaving for work.[39]

On cross-examination, it was established that YYY also owned a motorcycle, reducing his commute from work to

home, and that of AAA's house, to a mere 30-minute ride.[40] Further, YYY, a carpenter by trade, had built AAA's house. Their houses were within walking distance of roughly 100 meters apart, placing them in constant proximity.

While the defense hinted a grudge, it was shown that prior to these cases, YYY, XXX, and AAA's father were generally on good terms. Although, an altercation had occurred among them, the defense failed to establish any logical link between the altercation and AAA's criminal complaints.[41]

The direct testimonies of Nenita, YYY's wife,[42] and one were dispensed with. Instead, the trial court admitted their judicial affidavits to corroborate evidence to support the defense's version of events.[43]

Ruling of the Regional Trial Court

In a Joint Decision[44] dated July 27, 2023, the RTC found both XXX and YYY guilty beyond reasonable doubt of the crimes charged. The dispositive portion of the judgment reads:

WHEREFORE, in view of the foregoing, this court finds the accused:

1. In Criminal Case No. 7633-2022, guilty beyond reasonable doubt of the crime of statutory rape and he is meted a penalty of [r]eclusion [p]erpetua, without eligibility of parole. The accused is further directed to pay [AAA] the sum of [PHP] 100,000.00 as civil indemnity, [PHP] 100,000.00 as moral damages and [PHP] 100,000.00 as exemplary damages.
2. In Criminal Case No. 7636-2022, guilty beyond reasonable doubt of [l]ascivious [c]onduct under Section 5 (b) of Republic Act No. 7610. Accordingly, he is sentenced to suffer the indeterminate penalty of imprisonment of [ten] years and [one] day of prision mayor, as minimum to seventeen [17] years, [four] months, and [one] day of reclusion temporal, as maximum, and to pay [AAA] the amounts of [PHP] 50,000.00 as civil indemnity, [PHP] 50,000.00 as moral damages, and [PHP] 50,000.00 as exemplary damages, all with legal interest at the rate of six percent (6%) per annum from the finality of this Decision until full payment.
3. In Criminal Case No. 7637-2022, guilty beyond reasonable doubt of the crime [s]exual [a]ssault under Article 266-A[(2)] of the Revised Penal Code in relation to Section 5(b) of [Republic Act No.] 7610 as amended by Republic Act No. 11648 and he is meted the indeterminate penalty of twelve [12] years, [ten] months and [21] days of reclusion temporal, as minimum, to [15] years, [six] months and [20] days of [reclusion temporal], as maximum. The accused is further directed to pay [AAA] the amounts of [PHP] 50,000.00 as civil indemnity, [PHP] 50,000.00 as moral damages, and [PHP] 50,000.00 as exemplary damages.

The preventive detention of the accused from the time his arrest until the present is counted in his [favor] in the service of his sentences as herein imposed.

SO ORDERED.[45]

The RTC anchored its ruling on AAA's positive and categorical testimony, which remained uncontroverted. The RTC found that the prosecution successfully established all elements of the offenses. It dismissed the defense of alibi as "easily fabricated," noting that neither of the accused proved "physical impossibility" of being at the crime scene given the short travel distances involved.[46]

XXX and YYY appealed their convictions to the CA.[47]

Ruling of Court of Appeals

In a Decision dated March 21, 2025, the CA denied the appeal.[48] The CA affirmed the convictions but applied specific legal modifications to the nomenclature of the offenses and the corresponding penalties and damages.

The CA echoed the trial court's trust in AAA's testimony and her positive identification of both the accused, finding no ill motive on her part to fabricate the charges. It rejected the defense's arguments of AAA's "lack of resistance" or her "delayed disclosure," taking judicial notice that there is no standard behavioral response to the shock and trauma of sexual abuse.[49]

The CA modified the nomenclature of the offense and penalties.

In Criminal Case No. 7633-2022, the CA modified the nomenclature of the offense from statutory rape to simple rape considering AAA's age of 12 years old at the time of the offense. It affirmed the penalty of reclusion perpetua but deleted the phrase "without eligibility for parole." The damages were modified to PHP 75,000.00 each for civil indemnity, moral damages and exemplary damages.[50]

In Criminal Case Nos. 7636-2022, the CA affirmed the designation of lascivious conduct and the damages awarded. However, it modified the penalty of imprisonment to an indeterminate penalty of 12 years, 10 months and 21 days reclusion temporal, as minimum to 15 years, six months and 21 days of reclusion temporal as maximum.[51]

In Criminal Case Nos. 7637-2022, the CA modified the nomenclature from sexual [s]exual [a]ssault to lascivious conduct under Republic Act No. 7610, while affirming the penalty of imprisonment and the award of damages.[52]

All monetary awards for the three cases were ordered to earn a legal interest of 6% per annum from finality until full payment.

The dispositive portion of the CA ruling reads:

WHEREFORE, premises considered, the appeal is DENIED. The Joint Decision dated [July 27], 2023 of the Regional Trial Court (RTC), 12[th] Judicial Region, Branch 23, , is hereby AFFIRMED with MODIFICATION. The Court finds accused-appellants guilty beyond reasonable doubt, as follows:

1. In Criminal Case No. 7633-2022, [XXX] guilty beyond reasonable doubt of the crime of [s]imple [r]ape and he is meted a penalty of reclusion perpetua. The accused is further directed to pay AAA the sum of [PHP] 75,000.00 as civil indemnity, [PHP] 75,000.00 as moral damages, and [PHP] 75,000.00 as exemplary damages.
2. In Criminal Case No. 7636-2022, [YYY] guilty beyond reasonable doubt of the crime of [l]ascivious conduct under Section 5(b) of Republic Act No. 7610. Accordingly, he is sentenced to suffer the indeterminate penalty of imprisonment of [12] years, [ten] months and [21] days of reclusion temporal, as minimum, to [15] years, [six] months and [21] days of reclusion temporal, as maximum, and to pay AAA the amounts of [PHP] 50,000.00 as civil indemnity, [PHP] 50,000.00 as moral damages, and [PHP] 50,000.00 as exemplary damages, all with legal interest at the rate of six percent (6%) per annum from finality of this Decision until full payment.
3. In Criminal Case No. 7637-2022, [YYY] guilty beyond reasonable doubt of the crime of [l]ascivious conduct under Article 266-A[(2)] of the Revised Penal Code in relation to Section 5(b) of [Republic Act No.] 7610 as amended by Republic Act No. 11648 and he is meted the indeterminate penalty of [12] years, [ten] months and [21] days of reclusion temporal, as minimum, to [15] years, [six] months and [20] days of reclusion temporal, as maximum. The accused is further directed to [pay] AAA the amounts of [PHP] 50,000.00 as civil indemnity, [PHP] 50,000.00 as moral damages, and [PHP] 50,000.00 as exemplary damages.

All monetary awards shall earn interest at the rate of six percent (6%) per annum from the finality of this Decision until full payment thereof.

SO ORDERED.[53] (Emphasis supplied)

Seeking the complete reversal of their convictions, XXX and YYY filed the present appeal.[54]

Issue

The core issue to be resolved by the Court is whether the CA correctly affirmed the conviction of the accused-appellants.

Our Ruling

The appeal lacks merit.

Absent any compelling reason, the Court will not disturb the factual findings of the trial and appellate courts. The evaluation of testimonial evidence, the assessment of witness credibility, and the conclusions derived therefrom by the trial court are accorded high respect, if not conclusive effect, especially when affirmed by the CA. The trial court sits in the unique position of observing the witness firsthand, noting the nuances of demeanor that distinguish truth from fabrication.[55]

Finding no cogent reason to deviate from the uniform findings, the Court sustains the determination of guilt against the accused-appellants.

Testimony of a child victim carries the badges of truth as a singular piece of direct evidence

In the prosecution of sexual abuse cases, the testimony of the victim often stands as the singular piece of direct evidence available to the court owing to the nature of the offenses which are commonly committed without witnesses.[56] In this instance, despite her palpable anxiety and nervousness, AAA's testimony was positive, categorical, and remarkably consistent throughout.[57]

It is a well-settled jurisprudential principle that the testimony of a child witness carries badges of truth, and the lone testimony of the victim in a prosecution for rape, if credible, is sufficient to sustain a verdict of conviction.[58] Young minds are generally perceived as incapable of weaving complex fabrications or harboring the calculated malice required to falsely ruin another's reputation.[59]

Here, AAA withstood the daunting task of recounting her trauma on the witness stand, dispelling any doubts regarding her veracity. Her positive identification of the accused-appellants must be given full credit, especially since the defense failed to establish any ill motive for her to lie. Such untainted, categorical identification inevitably prevails over weak denials and alibis.

There is no standard human reaction to sexual trauma

The defense's attempt to undermine AAA's credibility by pointing to her lack of physical resistance or her delayed reporting is legally untenable. Jurisprudence has long shattered the archaic myth that a victim must scream, violently fight back, or report the crime immediately to be deemed credible.[60]

There is no "standard form of behavior" for a rape victim, particularly a minor paralyzed by fear. Immobility or submission is frequently a survival mechanism, not a sign of consent. In children, the trauma is often compounded by confusion, shame, and fear of retaliation, which naturally explains their silence, outward appearance of normalcy, or delay in disclosure.[61]

The judicial focus must remain squarely on the criminal acts of the accused, rather than on the victim's performance under trauma, recognizing that human reactions to extreme violation are diverse.[62]

Stripped of these behavioral expectations, the Court finds that the facts and evidence conclusively established that the accused-appellants committed the sexual crimes charged.

Alibi and denial cannot prevail over positive identification

To secure an acquittal based on alibi, an accused must meet an exacting standard: they must demonstrate not only that they were elsewhere at the time of the crime, but that it was physically impossible for them to be at the scene or within its immediate vicinity. The excuse must be so airtight that it admits no exception.[63]

In the instant case, , where the accused-appellants allegedly worked, and , where the crimes took place, are geographically adjacent municipalities in . Both accused admitted to owning motorcycles, and the commute between the locations is a mere 30 minutes. This completely destroys any claim of physical impossibility. Furthermore, the defense failed to present disinterested witnesses to corroborate their specific whereabouts, leaving their claims as self-serving assertions that cannot overcome AAA's positive testimony.

Legal nomenclature and penalties

While guilt has been established beyond reasonable doubt, the nomenclature of the offenses and their corresponding penalties must be adjusted to conform with current law and jurisprudence.

Criminal Case No. 7633-2022

Accused-appellant XXX was charged with rape under Article 266-A(1)(a) of the Revised Penal Code,[64] which defines the crime as carnal knowledge of a woman through force, threat or intimidation. The elements are as follows:

- The offender is a man;
- The offender has carnal knowledge of a woman; and
- The act is accomplished through force, threat, or intimidation, when the offended party is deprived of reason or otherwise unconscious; and by means of fraudulent machination or grave abuse of authority.[65]

AAA's testimony sufficiently established that accused-appellant XXX inserted his penis in her vagina, forcing himself upon her in January 2022 through threats on her life.

The Court notes that Republic Act No. 11648,[66] which raised the age of statutory sexual consent from below 12 years old to below 16 years old, was promulgated on March 4, 2022 and took effect on March 22, 2022.[67] Since this specific offense was committed in January 2022, it preceded the effectivity of the new law, and the prior threshold of below 12 years old applies pursuant to the Revised Penal Code, as amended. Since AAA was exactly 12 years old, the offense does not fall under statutory rape.

Thus, the CA correctly held that the crime falls under Article 266-A(1)(A).[68] However, the Court must correct the nomenclature as the designation of "simple rape" is a misnomer.

The reclassification of rape as a crime against persons highlights its status as a total violation of human dignity. There is nothing "simple" about rape. Referring to it as such downplays its severity and desensitizes the public to the profound psychological and physical harm it inflicts. Courts must never trivialize the offense by appending the word "simple" to it.[69] The crime is, purely and properly, rape.

Consequently, the penalty of reclusion perpetua is affirmed. The phrase "without eligibility for parole" was correctly deleted by the CA, as that restriction applies only to cases where death penalty would have been originally imposable but reduced under Republic Act No. 9346.[70] The awards of PHP 75,000.00 each for civil indemnity, moral damages, and exemplary damages are affirmed, subject to 6% interest per annum from the finality of this Resolution until fully paid.[71]

Criminal Case No. 7636-2022

Accused-appellant YYY was charged with acts of lasciviousness under Article 366 of the Revised Penal Code in relation to Section 5(b) of Republic Act No. 7610.[72]

Article 336 of the Revised Penal Code defines and penalizes "acts of lasciviousness," as any act of lasciviousness upon other persons of either sex. It is punishable by prision correccional, and has the following elements:

(1)

that the offender commits any act of lasciviousness or lewdness;

(2)

that it is done under any of the following circumstances:

(a)

through force, threat, or intimidation;

(b)

when the offended party is deprived of reason or otherwise unconscious;

(c)

by means of fraudulent machination or grave abuse of authority; and

(d)

when the offended party is under 12 years of age or is demented, even though none of the circumstances mentioned above be present; and

(3)

that the offended party is another person of either sex.[73]

In *Gramatica v. People*,[74] the Court clarified that Section 5(b) of Republic Act No. 7610 applies only when a minor victim is a child "exploited in prostitution or subjected to other sexual abuse (EPSOSA)"—meaning situations involving children indulging and engaging in lascivious conduct through the adult's employment of coercion and influence or through the child's defective consent.[75] Republic Act No. 7610 does not apply when the lascivious conduct is committed strictly through force, threat, or intimidation, or when the unwilling victim is deprived of reason, is unconscious, or otherwise subjected to fraudulent machination or grave abuse of authority.

Such cases remain punishable under the Revised Penal Code.[76]

Since accused-appellant YYY forcibly fondled AAA's breasts against her active resistance, the offense is governed by the Revised Penal Code. Crucially, this incident occurred on March 23, 2022—during the effectivity of Republic Act No. 11648.[77] Since AAA was 12 years old at the time, she was under the newly enacted statutory age of consent of below 16. Therefore, the crime must be properly designated as statutory acts of lasciviousness under Article 336 of the Revised Penal Code.[78]

Applying the Indeterminate Sentence Law, the penalty for acts of lasciviousness under Article 336 of the Revised Penal Code is prision correccional. The minimum term is taken from the penalty next lower in degree which is arresto mayor, and the maximum is derived from prision correccional. Accordingly, accused-appellant YYY is sentenced to an indeterminate penalty of six months of arresto mayor, as minimum, to four years and two months of prision correccional, as maximum.

The law does not provide a ceiling amount for the award of damages. Courts are given wide discretion guided by civil law, precedents, and the nature of the claim, to adjust the award of damages to align with recent jurisprudence and to compensate for the severe psychological harm endured by victims of sexual abuse. Accordingly, the awards for civil indemnity, moral damages, and exemplary damages are increased to PHP 75,000.00 each, plus 6% annual interest from the finality of this Decision until fully paid. This adjustment is necessary in light of the reality that the statutory Revised Penal Code penalty imposed upon accused-appellant YYY is considerably lower than what would have been meted out under Republic Act No. 7610.[79]

Criminal Case No. 7637-2022

Accused-appellant YYY was charged with rape through sexual [s]exual [a]ssault under Article 266-A(2) of the Revised Penal Code.[80] The CA modified this to lascivious conduct under Republic Act No. 7610. The modification must be corrected.

Reiterating Gramatica, Republic Act No. 7610 does not apply to this case because the minor child is not under the EPSOSA category. The legal principles delineating the elements of force and intimidation from those of coercion and influence—along with the restriction of Republic Act No. 7610 to minors who qualify as EPSOSA—extend to other similar sexual offenses, including rape by carnal knowledge and rape by sexual [s]exual [a]ssault.[81]

Considering that YYY forcibly inserted his finger into AAA's vagina on July 13, 2022—well within the effectivity of Republic Act No. 11648—the provisions of the Revised Penal Code, as amended, govern this case. Since AAA was 13 years old or below 16 years old, the correct nomenclature of the offense is sexual [s]exual [a]ssault under Article 266-A(2) of the Revised Penal Code in relation to Section 5(b) of Republic Act No. 7610.[82]

Under Article 266-B of the Revised Penal Code, the prescribed penalty for sexual [s]exual [a]ssault is reclusion temporal. In the absence of any modifying circumstance, the penalty shall be imposed in its medium period.[83] Applying the Indeterminate Sentence Law, the minimum term shall be within the range of the penalty next lower in degree, which is prision mayor.

Accordingly, accused-appellant YYY is sentenced to suffer the indeterminate penalty of 11 years, nine months and one day of prision mayor, as minimum, to 16 years, four months and 10 days of reclusion temporal, as maximum. The awards of PHP 75,000.00 each for civil indemnity, moral damages, and exemplary damages are maintained, all earning 6% interest per annum from the finality of this Decision until fully paid.[84]

FOR THESE REASONS, the instant appeal is DISMISSED. The Decision dated March 21, 2025 of the Court of Appeals in CA-G.R. CR-HC No. 03493-MIN is AFFIRMED with MODIFICATIONS:

- In Criminal Case No. 7633-2022, accused-appellant XXX is found GUILTY beyond reasonable doubt of RAPE under Article 266-A(1)(a) of the Revised Penal Code, as amended. He is sentenced to suffer the penalty of reclusion perpetua. He is further ordered to pay the victim, private complainant AAA, the amounts of PHP 75,000.00 as civil indemnity, PHP 75,000.00 as moral damages, and PHP 75,000.00 as exemplary damages.

- In Criminal Case No. 7636-2022, accused-appellant YYY is found GUILTY beyond reasonable doubt of STATUTORY ACTS OF LASCIVIOUSNESS under Article 336 of the Revised Penal Code. He is sentenced to suffer the indeterminate penalty of six months of arresto mayor, as minimum, to four years and two months of prision correccional, as maximum. He is further ordered to pay the victim, private complainant AAA, the amounts of PHP 75,000.00 as civil indemnity, PHP 75,000.00 as moral damages, and PHP 75,000.00 as exemplary damages.

- In Criminal Case No. 7637-2022, accused-appellant YYY is found GUILTY beyond reasonable doubt of SEXUAL ASSAULT under Article 266-A(2) of the Revised Penal Code, in relation to Section 5(b) of Republic Act No. 7610. He is sentenced to suffer the indeterminate penalty of 11 years, nine months and one day of prision mayor, as minimum, to 16 years, four months and 10 days of reclusion temporal, as maximum. He is further ordered to pay the victim, private complainant AAA, the amounts of PHP 75,000.00 as civil indemnity, PHP 75,000.00 as moral damages, and PHP 75,000.00 as exemplary damages.

All monetary awards in the above cases shall earn legal interest at the rate of six percent (6%) per annum from the date of finality of this Decision until fully paid.

SO ORDERED.

Gesmundo, C.J. (Chairperson), Zalameda, Rosario, and Marquez, JJ., concur.

[1] In line with the Amended Administrative Circular No. 83-2015, as mandated by Republic Act No. 7610, the names of the private offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity.

[2] Rollo pp. 4-9.

[3] Id. at 12-35. The March 21, 2025 Decision in CA-G.R. CR-HC No. 03493-MIN was penned by Associate Justice Lily B. Biton and concurred in by Associate Justices Ana Marie T. Mas and John Z. Lee of the Special Twenty-Second Division, Court of Appeals, .

[4] Id. at 38-44. The July 27, 2023 Joint Decision in Criminal Case Nos. 7633-2022, 7636-2022, 7367-2022 was penned by Presiding Judge Jose T. Tabosares of the Regional Trial Court of Branch 23, Regional Trial Court, .

[5] Geographical location is blotted out pursuant to Supreme Court Amended Administrative Circular No. 83-2015.

[6] RTC records (Criminal Case No. 7633-2022), p. 7.

[7] RTC records (Criminal Case No. 7636-2022), p. 3.

[8] RTC records (Criminal Case No. 7637-2022), p. 7.

[9] "The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. 7610, An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, and for Other Purposes; Republic Act No. 9262, An Act

Defining Violence Against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes; and Section 40 of A.M. No. 04-10-11-SC, known as the Rule on Violence against Women and their Children, effective November 15, 2004." (People v. Dumadag, 667 Phil. 664, 669 [2011]).

[10] RTC records (Criminal Case No. 7633-2022), pp. 7-8.

[11] RTC records (Criminal Case No. 7636-2022), pp. 3-4.

[12] RTC records (Criminal Case No. 7637-2022), pp. 7-8.

[13] RTC records (Criminal Case No. 7633-2022), p. 30, RTC records (Criminal Case No. 7636-2022), p. 28.

[14] RTC records (Criminal Case No. 7636-2022), p. 30.

[15] Rollo, p. 39.

[16] RTC records (Criminal Case No. 7637-2022), p. 22.

[17] Rollo, p. 38.

[18] Id. at 15.

[19] TSN (Criminal Case No. 7633-2022), AAA, March 32, 2023, pp. 2, 7.

[20] TSN (Criminal Case No. 7636-2022 & 7637-2022), AAA, January 18, 2023, pp. 6-8.

[21] TSN (Criminal Case No. 7633-2022), AAA, March 32, 2023, pp. 2-17.

[22] Id.

[23] RTC records (Criminal Case No. 7633-2022), p. 14.

[24] TSN (Criminal Case Nos. 7636-2022 & 7637-2023), AAA, January 18, 2023, pp. 5-10.

[25] Id. at 10-14.

[26] Id. at 14-22.

[27] Id.

[28] Id. at 21-22.

[29] RTC records (Criminal Case No. 7633-2022), pp. 17-19.

[30] RTC records (Criminal Case No. 7633-2022), p. 18; TSN (Criminal Case No. 7633-2022), BBB, March 2, 2023, pp. 7-8.

[31] TSN (Criminal Case No. 7633-2022), AAA, February 23, 2023, pp. 1-6; TSN (Criminal Case No. 7633-2022), AAA, March 2, 2023, pp. 2-18; TSN (Criminal Case Nos. 7636-2022 & 7637-2022), AAA, January 18, 2023, pp. 2-22.

[32] TSN (Criminal Case Nos. 7636-2022 & 7637-2022), XXX, April 20, 2023, pp. 4-19; TSN (Criminal Case Nos. 7636-2022 & 7637-2022), YYY, June 14, 2023, pp. 2-9.

[33] TSN (Criminal Case Nos. 7636-2022 & 7637-2022), XXX, April 20, 2023, pp. 4-11.

[34] Id.

- [35] RTC records (Criminal Case No. 7633-2022), pp. 41-42.
- [36] TSN (Criminal Case Nos. 7636-2022 & 7637-2022), XXX, April 20, 2023, pp. 15-18.
- [37] RTC records (Criminal Case No. 7637-2022), p. 42.
- [38] Id.
- [39] Id.
- [40] TSN (Criminal Case Nos. 7636-2022 & 7637-2022), YYY, June 14, 2023, pp. 5-9.
- [41] TSN (Criminal Case Nos. 7636-2022 & 7637-2022), XXX, April 20, 2023, pp. 6-18.
- [42] RTC records (Criminal Case No. 7637-2022), p. 45.
- [43] TSN (Criminal Case Nos. 7636-2022 & 7637-2022), YYY, June 14, 2023, p. 9.
- [44] Rollo, pp. 38-44.
- [45] Id. at 44.
- [46] Id. at 42-43.
- [47] CA rollo, p. 153.
- [48] Rollo, pp. 12-35.
- [49] Id. at 18-32.
- [50] Id. at 32-34.
- [51] Id. at 33-34.
- [52] Id. at 32-33.
- [53] Id. at 34-35.
- [54] Id. at 4-9.
- [55] *People v. XXX*, 889 Phil. 265, 275 (2020) [Per J. Hernando, Third Division].
- [56] See *People v. Bilancor*, 441 Phil. 758, 768 (2002) [Per J. Panganiban, Third Division].
- [57] TSN (Criminal Case No. 7633-2022), AAA, February 23, 2023, pp. 1-6; TSN (Criminal Case No. 7633-2022), AAA, March 2, 2023, pp. 2-18; TSN (Criminal Case Nos. 7636-2022 & 7637-2022), AAA, January 18, 2023, pp. 2-22.
- [58] *Laconsay v. People*, 959 Phil. 520, 533 (2024) [Per J. Inting, Third Division].
- [59] Id.
- [60] See *People v. XXX*, 889 Phil. 265, 276-277 (2020) [Per J. Hernando, Third Division]. (Citations omitted)
- [61] Id.
- [62] See *People v. ZZZ*, 955 Phil. 733, 754-755 (2024) [Per J. Singh, Third Division].
- [63] *People v. Achay*, 934 Phil. 794, 806 (2023) [Per J. Leonen, Second Division]. (Citations omitted, emphasis supplied)

[64] RTC records (Criminal Case No. 7633-2022), p. 7.

[65] See *People v. Joven*, 955 Phil. 203, 222 (2024). [Per J. Leonen, Second Division].

[66] An Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape, Amending for the Purpose Act No. 3815 as Amended, Otherwise Known As "The Revised Penal Code," Republic Act No. 8353, Also Known as "The Anti-Rape Law of 1997," And Republic Act No. 7610, as Amended, Otherwise Known As the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act"

[67] Official Gazette Publication: March 7, 2022 available at <https://www.officialgazette.gov.ph/2022/03/04/republic-act-no-11647-2/> (last accessed on June 10, 2026)

[68] Rollo, p. 34.

[69] *People v. XXX257662*, G.R. No. 257662, July 9, 2025 [Per J. Inting, Third Division] at 12. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[70] Guidelines for the Proper Use of the Phrase "Without Eligibility for Parole" in Indivisible Penalties, part II(I).

[71] *People v. Jugueta*, 783 Phil. 806, 849 (2016). [Per J. Peralta, En Banc].

[72] RTC records (Criminal Case No. 7636-2022), p. 3.

[73] *Quimvel v. People*, 808 Phil. 889, 914 (2017) [Per J. Velasco, Jr., En Banc].

[74] G.R. Nos. 260233 & 266039, August 12, 2025 [Per J. Inting, En Banc].

[75] *Id.* at 52-54, This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[76] *Id.*

[77] Effectivity date: March 22, 2022; Official Gazette uploaded on March 7, 2022 available at <https://www.officialgazette.gov.ph/2022/03/04/republic-act-no-11647-2/> (last accessed on June 10, 2026); De La Salle University Law Clinic, Primer on [Republic Act No.] 11648 (Increasing the Age of Sexual Consent), available at <https://old.dlsu.edu.ph/wp-content/uploads/pdf/1aw/primer/increasing-the-age-of-sexual-consent.pdf> (last accessed on June 10, 2026).

[78] *Gramatica v. People*, G.R. Nos. 260233 & 266039, August 12, 2025 [Per J. Inting, En Banc] at 53-54. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[79] *Id.* at 52. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[80] RTC records (Criminal Case No. 7637-2022), p. 7.

[81] See *Gramatica v. People*, G.R. Nos. 260233 & 266039, August 12, 2025 [Per J. Inting, En Banc] at 54. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[82] See *People v. ABC260708*, 950 Phil. 199, 237 (2024) [Per J. Lopez, M., En Banc]; *Gramatica v. People*, G.R. Nos. 260233 & 266039, August 12, 2025, J. Zalameda, Concurring Opinion, pp. 6-7. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

[83] *Id.*

[84] *Id.*

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