

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ANGELITO BAUTISTA, ACCUSED-APPELLANT.

G.R. No. 89967. September 01, 1994

Ponente: ROMERO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-89967/>

ROMERO, J.:

The Court is once again asked to choose between two conflicting versions of a single nocturnal incident. Believing the victim's story would lead to a vindication of a wrong done upon her person, her honor and her very virtue. On the other hand, disbelieving her and accepting instead the tale of the alleged culprit would spell freedom to a man charged with a dastardly deed.

Her story follows.

At around 9:00 o'clock in the evening of April 5, 1981, Estrella Soni, a 21-year old unmarried resident of Barrio Palasan, Valenzuela, Metro Manila, and her boyfriend (now husband), Wilfredo Guantero, were passing through the cemetery of Palasan on their way home after watching a singing contest at the barangay hall when two men suddenly appeared and accosted them. They recognized one as accused-appellant Angelito Bautista, Estrella's neighbor and landlord. Bautista grabbed Estrella on the upper arm and told Wilfredo to leave them while poking a bolo at him. Fearing for his life, Wilfredo ran to a friend's house and together they went to the barangay hall to seek assistance.

Bautista, who reeked of liquor and was trembling while holding Estrella by the shoulder, insisted on accompanying her home. When she refused, he pulled her to a grassy portion of the field and started undressing her. Estrella did not notice where the other man went.

Estrella cried as she unsuccessfully struggled to free herself from Bautista, who was able to remove her panty. In her weak state, she could only watch him kneel beside her and remove his pants and briefs with his right hand, the other being busy holding her right shoulder. As he mounted her, she tried to push him away but he was very heavy. Her feeble attempts to free herself were useless, as he managed to insert his organ into her private part. She felt pain in her lower abdomen. He moved his buttocks up and down, all the while attempting to kiss her and fondle her breast. After a while, she felt something warm flow out from him.

Thereafter, Bautista stood up and put on his briefs and pants. When he seemed to be searching for something, Estrella seized the chance to flee. He chased her, but she found a hiding place where she put on her panty. She ran to her auntie's house and chanced upon her cousin, Valeriana Lania, to whom she recounted her ordeal. Valeriana, in turn, told Estrella's parents about the incident.

In the meantime, Wilfredo and his companions went to the place where he left Estrella but they found nobody there. When they returned to the barangay hall; Estrella was already there with her parents answering the questions of the barangay captain. Later, she was brought to the emergency hospital in Polo for examination.

The following morning, Estrella was taken to the National Bureau of Investigation where she was examined by

the medico-legal officer. Dr. Ruben Añgobung found that she had hymenal lacerations and concluded that such genital findings are compatible with intercourse with a man on or about the alleged date of commission of the offense, although she suffered no extragenital physical injuries.[1]

Bautista expectedly told a different tale.

He testified that on the night of April 5, 1981, he bought medicine at a local drugstore and, on the way home, passed through the cemetery of Palasan on a borrowed bicycle. Near his parents' tomb, he noticed three or four heads behind the tomb. He yelled, "What are you doing there?" The unidentified persons jumped and ran. He also observed, at about five meters from his mother's grave, a naked man jump and run away. He identified the man as Wilfredo Guantero. When he moved closer, he saw a woman lying down with her skirt raised. She stood up and introduced herself as Estrella, which he already knew as they are neighbors. He ran after the fleeing man but was not able to catch up with him; so he just cursed the latter.

Unlike Estrella's testimony, which was corroborated in part by Wilfredo and by the physician who attended to her within hours after the incident, Bautista's claim is wholly unsubstantiated. Instead, they presented Bautista's sister-in-law, Ma. Victoria Ponce, and her mother Matilde to suggest to the court that the rape charge may have been caused by a simple misunderstanding between Bautista and Estrella's family over a tenancy dispute, much like what had happened in 1979, when Ma. Victoria charged Bautista with rape only to withdraw the same also on ground of misunderstanding.

After trial conducted principally by Judges Eduardo P. Caguioa and Samilo N. Barlongay, decision was rendered on July 7, 1987 by Judge Teresita Dizon-Capulong of the Regional Trial Court of Valenzuela, Branch 172, the dispositive portion of which read thus:

"From the evidence adduced the Court is convinced that the accused is guilty beyond reasonable doubt of the crime of rape punishable by Article 335 (1) 1st paragraph of reclusion perpetua and all the subsidiary penalties imposed by law, and to pay the costs.

SO ORDERED."[2]

In this appeal, Bautista raises the following points to bolster his claim of innocence:

- a) The sudden disappearance of Bautista's alleged companion is absurd, considering that he could have assisted Bautista in the offense.
- b) Was Estrella pulled to the grassy portion of the field or did she merely walk?
- c) Estrella's testimony is silent as to whether there was intimidation.
- d) The bolo allegedly used by Bautista in intimidating Estrella and Wilfredo was never mentioned in the course of Estrella's testimony.
- e) Estrella's underwear was intact, albeit with loose garter, indicating the absence of a struggle.
- f) Why did Estrella attempt to escape only after, not before or during, the alleged sexual intercourse?
- g) Estrella's testimony that she was forced to follow when Bautista's buttocks moved up is "contrary to the laws of gravity," for nothing could "make her follow the going up of the accused-appellant's buttocks except her voluntary pushing up of her own buttocks."

The doctor's finding that there are no extragenital physical injuries indicates absence of force.

It is obvious that these are factual conclusions of the trial court which are ordinarily respected on appeal owing to

the position of the trial judge who personally saw and heard the witnesses testify. This rule, however, need not apply in its full rigor to the case at bench, where two judges conducted the trial and the decision was eventually written by a third.

Still, Judge Dizon-Capulong, while recognizing this handicap, concluded that the trial was properly conducted by her predecessors and that the prosecution was able to sufficiently establish the culpability of the accused-appellant. Accordingly, she rendered judgment applying the principles governing rape cases.

It is not disputed that Estrella suffered no physical injuries. Yet the absence of external signs of injury does not necessarily negate the commission of rape, especially when the victim was so intimidated by the offender into submission.[3]

Intimidation would also explain why there are no traces of struggle which would indicate that the victim fought off her attacker. Intimidation was proven in this case when Bautista, in an intoxicated state and with a companion, suddenly appeared at night in a deserted cemetery before Estrella and Wilfredo while holding a bolo and uttering threats. The mysterious vanishing act of the other man is a non-issue in this case. Much less should it be taken against Estrella who merely recounted to the court what she could remember of her ordeal. Wilfredo insisted that there was a bolo, around fifteen inches long, which so instilled fear in him as to force him to leave his sweetheart in the company of Bautista, although this was hardly mentioned by Estrella.

In any case, people react differently to a given situation.[4] While some victims of rape raise an outcry, others simply weep in helpless protest. Estrella must belong to the latter class.

More convincing is that Estrella, being the unmarried Filipina that she was on the night that she was abused, would not publicly admit that she had been raped by a man, voluntarily allow herself to be medically probed, and endure humiliating and quite delicate questions in the course of a full blown trial with her tormentor glowering at her just across the courtroom, if her accusations were merely malicious concoctions.[5]

IN VIEW OF THE FOREGOING, the conviction of Angelito Bautista is hereby AFFIRMED with the MODIFICATION that in addition to the penalty of reclusion perpetua, he is also ordered to INDEMNIFY Estrella Soni the amount of P30,000.00 by way of damages.

SO ORDERED.

Feliciano, (Chairman), Bidin, Melo, and Vitug, JJ., concur.

[1] TSN, October 18, 1982, pp. 9-10; Exhibit "B," Records, p. 14.

[2] Rollo, p. 25.

[3] *People v. Arenas*, 198 SCRA 172 (1991); *People v. Pasco*, 181 SCRA 233 (1990); *People v. Viray*, 164 SCRA 135 (1988); *People v. Monteverde*, 142 SCRA 668 (1986); *People v. Malabad*, 133 SCRA 392 (1984).

[4] *People v. Herrick*, 187 SCRA 364 (1990).

[5] *People v. Santiago*, 197 SCRA 556 (1991); *People v. Patilan*, 197 SCRA 354 (1991).

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.