

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ERNESTO VILLANUEVA, ACCUSED-APPELLANT.

G.R. No. 96712. July 20, 1992

Ponente: GRINO-AQUINO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-96712/>

GRINO-AQUINO, J.:

This is an appeal of the accused, Ernesto Villanueva, from the decision dated February 20, 1990 of the Regional Trial Court of Tabaco, Albay, Branch 15, which found him guilty of rape against the person of Esperanza Mayor.

As gathered from the records of the case, the facts are as follows:

On July 30, 1988, at about 9:00 o'clock in the morning, Esperanza Mayor was gathering firewood in the land of Basilia Casim in Barangay Comun, Municipality of Malinao, Albay. She found a coconut on the ground and was trying to unhusk it with her bolo when suddenly, she heard the accused, Ernesto Villanueva, saying in their native dialect: "It is good that you are around because I was looking for you for sometime now and I have something to do with you" (p. 18, Rollo). The accused, who was brandishing a bolo, grabbed her by her wrists forcing her to drop her bolo. He warned her not to shout or he would kill her. He dragged her a short distance away and forced her to lie down. The complainant struggled to free herself, but the accused, who was stronger than her, prevailed. He pulled down her skirt and panty and thereafter removed his short pants. He lay on top of her and had sexual intercourse with her. After having satisfied his lust, the accused got up and warned the complainant not to report the incident to anyone otherwise harm would befall her family (pp. 8-17, tsn, May 23, 1989).

Sometime later, in August 1988, the complainant's husband asked her to go to the place of the incident to get some vegetables, but she refused saying that she would not dare go there alone because she did not want the same incident which befell her in July to happen again. She was thus forced to reveal to her husband the sexual assault which the accused had committed against her. When her husband learned of it, he was furious and beat her up which caused her to be hospitalized at the Ziga Memorial Hospital for four (4) days.

The complainant's family thereafter moved to San Ramon, Tabaco, Albay. After they had settled in Tabaco, the complainant and her husband were able to muster enough courage to report to the police at Malinao, Albay the crime that had been committed against Esperanza (pp. 23-28, tsn, May 23, 1989).

Appellant was charged with the crime of rape in the following Information:

"That on or about the 30th day of July 1988, at about 9:00 AM., more or less, in Barangay Comun, municipality of Malinao, province of Albay, Philippines, and within the jurisdiction of this Honorable Court, above-named accused with lewd design and by means of force, violence and intimidation, while armed with a bolo, did then and there wilfully, unlawfully and feloniously, take hold the both hands of the herein complainant ESPERANZA MAYOR and drag her on a grassy place, then threaten her not to shout or else accused will kill her then forcibly take off her skirt and panty then forced her to lay down on the grassy place then lay on top of her and forcibly insert his sexual organ to her vagina and succeeded in having carnal knowledge against her will and consent and to the damage and prejudice of the herein complainant to be

determined by this Honorable Court." (p. 7, Rollo.)

Upon arraignment, on April 12, 1989, appellant entered a plea of not guilty.

After due trial, the lower court found him guilty as charged. The dispositive portion of the court's decision dated February 20, 1990, reads:

"WHEREFORE, in view of all the foregoing, judgment is hereby rendered finding the accused Ernesto Villanueva guilty beyond reasonable doubt of the crime of RAPE, and sentencing him to suffer the penalty of RECLUSION PERPETUA with the accessory penalties provided by law thereof.

"Said accused is further ordered to pay private complainant Esperanza Mayor the total sum of THIRTY THOUSAND PESOS (P30,000.00) as actual, moral and exemplary damages and finally to pay the costs hereof." (p. 29, Rollo.)

Hence, this appeal by the accused, in which he alleges that:

"The trial court committed grave error in not finding that the prosecution was not able to establish the guilt of the accused-appellant beyond reasonable doubt." (p. 55, Rollo.)

The appeal has no merit.

Rape is a crime which is not normally committed in the presence of witnesses, hence, courts merely rely on the credibility of the complainant's testimony when weighed against that of the accused (People vs. Barranco, 177 SCRA 103).

In the case at bar, we find the complainant's testimony more credible than that of the appellant. Appellant's claim that the manner by which the offended woman was allegedly raped defies human experience is not meritorious. The appellant based this argument on the victim's declaration that while the appellant lay on top of her, holding with his right hand the victim's right hand, the appellant at the same time went through the motions of removing the victim's skirt and panty and thereafter removed his pants and his underwear.

We do not find that testimony incredible for as found by the trial court, the appellant is a "husky male of hefty built (sic) and quite taller and stronger than the victim who is of ordinary built (sic) and height" (p. 24, Rollo). Being obviously stronger than his victim, it was not impossible for the accused to perform the sexual act in the manner narrated by the complainant.

The Court does not agree with the appellant's contention that complainant's conduct during and after the alleged rape was not consistent with normal human behavior.

While it is true that the complainant was in possession of a 1-1/2-foot-long bolo when the appellant surprised her, the weapon fell from her hand when the appellant grabbed her wrists (p. 19, tsn, May 23, 1989). Having lost her weapon, she could not use it to defend her honor.

The silence of the complainant after the rape, and her family's departure from Malinao after she disclosed the outrage to her spouse, were not inconsistent with normal human behavior, for the shock of being so victimized and her awareness of her husband's violent temper (as he did react violently when she disclosed the crime to him) and the appellant's threats against her and her family, naturally restrained her from immediately reporting the crime to the authorities and impelled her and her husband to move to another municipality before taking action against the appellant.

That the complainant was mauled by her husband when he learned of the incident was irrational but not an unnatural human reaction. In one case, this Court held that the anger of the rape victim's father at his daughter

when he was told about the rape, did not negate the commission of the offense. People act irrationally under shocking circumstances (People vs. Malabad, 133 SCRA 392).

The victim's delay in reporting the rape to her husband was due to appellant's threat that he would harm her family if she revealed the incident to anyone. The victim's husband testified that they let some days pass before reporting the matter to the police in order that they could first leave Barrio Comun (the place of the incident) and move to San Ramon, Tabaco, Albay, because they were afraid of the appellant's threats (pp. 6-7, tsn, May 31, 1989).

It has been held by this Court that the victim's delay in reporting the rape, due to death threats made by the accused, should not be taken against the victim (People vs. Lucas, 181 SCRA 316).

Appellant maintains that the complainant had an ulterior motive in falsely charging him with rape because he caught her taking coconuts from his plantation. However, it appears highly unthinkable for a married woman to concoct a false charge of rape and prefer to be exposed to the embarrassment and humiliation of a public trial for rape, if such were not the truth. Complainant would not risk ruining her future and exposing herself and her family to ridicule if her charges were not true (People vs. Cariño, Sr., 167 SCRA 285).

Appellant's alibi cannot save him. For this defense to prosper, he must prove that he was at a place so far removed from Barangay Comun that it was physically impossible for him to have been at the scene of the crime when the same was committed (People vs. Hortillano, 177 SCRA 729). The trial court observed in this case that the mountain of Ogob, Malinao, Albay where the accused, with four others, was supposedly stripping abaca when the complainant was raped, is only four (4) kilometers distant, or less than two (2) hours walk away from the scene of the crime (p. 138, Rollo). Therefore, it was not physically impossible for him to have committed it.

IN VIEW OF ALL THE FOREGOING, we find no reversible error in the appealed decision, hence, hereby AFFIRM it in toto, with costs against the accused-appellant, Ernesto Villanueva.

SO ORDERED.

Cruz, (Chairman), Medialdea, and Bellosillo, JJ., concur.

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.