

Title: People of the Philippines vs. Marcelino Bulosan

Facts:

1. **Incident Occurrence**: On May 27, 1978, in Pasuquin, Ilocos Norte, Clarenca R. Calventas was allegedly raped by Marcelino Bulosan, under threat with a deadly weapon. The accused purportedly forced carnal knowledge of Calventas against her will, threatening her and her family with death.
2. **Pre-Rape Interaction**: Calventas first met Bulosan in April 1978. On May 26, 1978, she intended to meet her boyfriend in Laoag City but decided to visit her aunt Bernarda Bulosan in Pasuquin. Bulosan accompanied her and convinced her to wait at his sister's house for a ride to Laoag City.
3. **Incident Details**: At Bulosan's sister's house, he allegedly assaulted Calventas, pressing a cold, pointed object to her neck, and threatening her. Despite her resistance, he removed her pants and had non-consensual intercourse with her while incapacitating her.
4. **Aftermath and Reporting**: Calventas was delivered to Laoag City in the early morning, met by her boyfriend, and reported the incident to her family two days later. The complaint filed led to an arrest warrant and court trial.
5. **Medical Examination**: On May 29, 1978, a physician confirmed a contusion on Calventas's abdomen and an old vaginal laceration but found no spermatozoa.
6. **Procedure**: The Municipal Judge of Pasuquin conducted a preliminary investigation, and a formal information was filed in the Court of First Instance of Ilocos Norte.

Issues:

1. **Preliminary Investigation**: Was there a proper and complete preliminary investigation, and did the absence of a fiscal's certification invalidate the trial?
2. **Credibility of Victim's Testimony**: Should the victim's testimony regarding the assault and details thereof be believed despite alleged inconsistencies?
3. **Physical Evidence**: Does the absence of spermatozoa and the medical findings support the claim of rape?

Court's Decision:

1. **Preliminary Investigation**: The Supreme Court held that the preliminary investigation was duly conducted by the Municipal Judge, aligning with procedural requirements. The absence of certification by the fiscal did not affect validity, as this rule applied only when investigations were directly conducted by the fiscal.
2. **Victim's Credibility**: The Court found the victim's testimony to be consistent and credible. The absence of an immediate report and minor inconsistencies were rationalized by her fear and societal pressures.
3. **Physical Evidence**: Lack of spermatozoa was deemed non-fatal to the prosecution's case. The Court emphasized that rape is established with any degree of penetration, and the evidence of her injuries supported her account.

Doctrine:

1. **Rape Conviction without Spermatozoa**: The court reiterated that emission is not necessary to establish rape, and penetration, however slight, suffices.
2. **Credibility over Physical Evidence**: Consistent testimony and the natural instinct to protect one's honor strengthen the reliability of victim statements in sexual crimes.

Class Notes:

- **Rape Definition**: Sexual intercourse against a person's will, achieved through force or intimidation.
- **Judicial Process**: Preliminary investigation requires both stages for comprehensiveness. Fiscal's certification is secondary when preliminary examination is conducted by a judge.
- **Section References**: Rule 112, Revised Rules of Court on Preliminary Investigations; Presidential Decree No. 77 on certification requirements.

Historical Background:

During the late 1970s, the Philippine judicial landscape was deeply influenced by the governance under martial law, with heightened attention to procedural due process in criminal cases. Social contexts frequently saw victims of sexual crimes facing stigmatization, influencing both legal narratives and courtroom dynamics significantly.