



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **November 4, 2020**, which reads as follows:

G.R. No. 240700 (People of the Philippines v. Raffy Bachiller y Tagura). – After a thorough review of the case, the Court finds the appeal wanting in merit. The Court rules that the Court of Appeals (CA) in its Decision¹ dated October 9, 2017 in CA-G.R. CR HC No. 06460 properly affirmed the Decision² dated August 8, 2013 of Branch 2, Regional Trial Court (RTC) of Bangued, Abra in Criminal Case No. 2009-042.

The Court sustains the findings of the lower courts that Raffy Bachiller y Tagura (accused-appellant) is guilty of Rape. The prosecution was able to establish that accused-appellant had carnal knowledge of AAA,³ a fourteen-year old minor. AAA, notably, narrated her tragic ordeal in the hands of accused-appellant in a clear, straightforward, and convincing manner. Moreover, there is no ill motive on her part in filing the complaint against accused-appellant. Her narration was likewise corroborated by the medical findings of Dr. Rachel D. Jalog, who found abrasion on AAA's right labia majora and an abrasion with bleeding at 5 o' clock and 9 o' clock positions of her hymen due to force or a hard object.³ When the testimony of a rape victim is consistent with the medical findings, there is sufficient basis to conclude that there has been carnal knowledge. Laceration, whether healed or fresh, is the best

¹ *Rollo*, pp. 2-11; penned by Associate Justice Myra V. Garcia-Fernandez, with Associate Justices Romeo F. Barza and Pablito A. Perez concurring.

² *CA rollo*, pp. 135-148; penned by Presiding Judge Corpus B. Alzate.

³ Section 44 of Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004) requires the confidentiality of all records pertaining to cases of violence against women and their children. Pursaid section, all public officers and employees are prohibited from publishing or causing to be published in any format the name and other identifying information of a victim or an immediate family member. The penalty of one (1) year imprisonment and a fine of not more than Five Hundred Thousand pesos (P500,000.00) shall be imposed upon those who violate the provision. Pursuant thereto, in the courts' promulgation of decisions, final resolutions and/or final orders, the names of women and children victims shall be replaced by fictitious initials, and their personal circumstances or any information, which tend to identify them, shall likewise not be disclosed. See *People v. XXV*, G.R. No. 224594, March 11, 2019.

Rollo, p. 8.

physical evidence of forcible defloration.⁴ The Court discussed in one case:

In *People v. Lopez*, the Court held that the gravamen of the offense of statutory rape as provided under the RPC is the carnal knowledge of a woman below twelve years of age. The only elements of statutory rape are: (1) that the offender had carnal knowledge of a woman; and (2) that the woman is under twelve (12) years of age.

With regard to the medical examination conducted, the Court has previously held that *"hymenal lacerations, whether healed or fresh, are the best evidence of forcible defloration. And when the consistent and forthright testimony of a rape victim is consistent with medical findings, there is sufficient basis to warrant a conclusion that the essential requisites of carnal knowledge have been established."*

In *People v. Palanay*, the Court thoroughly explained that by the distinctive nature of rape cases, conviction usually rests solely on the basis of the testimony of the victim, provided that such testimony is credible, natural, convincing, and consistent with human nature and the normal course of things. Thus, the victim's credibility becomes the primordial consideration in the resolution of rape cases. The evaluation of the credibility of witnesses and their testimonies is a matter best undertaken by the trial court given its unique opportunity to observe the witnesses firsthand and to note their demeanor, conduct, and attitude under grilling examination. In this regard, factual findings of the trial court, its calibration of the testimonies of the witnesses, and its conclusions anchored on its findings are accorded by the appellate court high respect, if not conclusive effect, more so when affirmed by the CA.⁵ (Emphasis supplied, citations omitted.)

Given the foregoing, the Court finds no cogent reason to disturb the uniform findings of the RTC and the CA that accused-appellant is guilty as charged. Under the circumstances, the Court must uphold the factual findings of the trial court in the absence of any showing that in assessing the witnesses' credibility in relation to their testimonies, it had overlooked or misconstrued any relevant fact that would alter the result of the case.⁶

Finally, the lower courts correctly imposed upon accused-appellant the penalty of *reclusion perpetua* for having found him guilty of Rape.

WHEREFORE, the appeal is **DISMISSED**. The assailed Decision of the Court of Appeals dated October 9, 2017 in CA-G.R. CR HC No. 06460 is **AFFIRMED** with **MODIFICATION** in that accused-appellant Raffy Bachiller y Tagura is **ORDERED** to pay AAA the following amounts: (a) ₱100,000.00 as civil indemnity; (b) ₱100,000.00 as moral damages and ₱100,000.00 as exemplary damages, for each

⁴ *People v. Manaligod*, G.R. No. 218584, April 25, 2018, 862 SCRA 751, 758.

⁵ *People v. XXX*, G.R. No. 237424, November 14, 2018.

⁶ *People v. Caipang*, G.R. No. 236837, January 29, 2020, citing *People v. Gomez*, 826 Phil. 561, 568 (2018).

count of Rape. All the monetary awards shall earn legal interest rate of 6% *per annum* from the date of finality of this Resolution until paid in full.⁷

SO ORDERED.⁸

By authority of the Court:

Misael D C Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court

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Branch 2, Bangued
2800 Abra
(Crim. Case No. 2009-042)

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⁷ *People v. Kay*, G.R. No. 225339, July 10, 2019, citing *People v. Juguetta*, 783 Phil. 806 (2016).