



Republic of the Philippines
 Supreme Court
 Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
 Plaintiff-Appellee,

G.R. No. 226394

Present:

CARPIO, *Acting Chief Justice,**
 Chairperson,

PERALTA,
 PERLAS-BERNABE,
 CAGUIOA, and
 REYES, JR., JJ.

- versus -

RAUL MARTINEZ and LITO
 GRANADA,

Promulgated:

Accused-Appellants.

07 MAR 2018

x-----*Reyes*-----x

DECISION

REYES, JR., J.:

Carnal knowledge with a woman who suffers from mental retardation is a deplorable act that deserves the strictest condemnation under the law. Notably, sexual congress with a mental retardate is rape. In this regard, purported romantic relations between the accused and the victim, as well as the accused's lack of awareness of the victim's mental condition, shall not exonerate the accused from the charge.

This treats of the appeal¹ filed by Raul Martinez (Martinez) and Lito Granada (Granada) (collectively, the accused-appellants), seeking the reversal of the Decision² dated April 26, 2016 rendered by the Court of Appeals (CA) in CA-G.R. CEB-CR-H.C. No. 01664, which affirmed the trial court's ruling convicting the accused-appellants of the crime of Rape

* Designated as Acting Chief Justice per Special Order No. 2539 dated February 28, 2018.
 1 CA rollo, pp. 126-127.

2 Penned by Associate Justice Geraldine C. Fiel-Macaraig, with Associate Justices Edgardo L. Delos Santos and Edward B. Contreras, concurring; id. at 111-124.

Reyes

under Article 266-A, paragraph 1(d) of the Revised Penal Code (RPC), as amended.

The Antecedents

On September 26, 2001, an Information for Rape was filed against the accused-appellants, the accusatory portion of which reads:

That on or about the 13th day of September 2000 at the Municipality of Tudela, Province of Cebu, Philippines, and within the jurisdiction of this Honorable court, the above-named accused, with deliberate intent, by means of violence and intimidation, conspiring, confederating, and mutually helping with one another, did then and there willfully, unlawfully, and feloniously took turns one after the other in having carnal knowledge and intercourse with [AAA],³ a mentally defective lady, against her will and consent.

CONTRARY TO LAW.⁴

Upon arraignment, the accused-appellants pleaded not guilty. Trial ensued thereafter.

Evidence for the Prosecution

The victim AAA narrated that on September 13, 2000, while she was cooking at her home, accused-appellant Martinez barged in and dragged her outside of her house. Martinez instructed AAA's son, BBB, not to follow, and threatened to hurt him should he defy him. Thereafter, Martinez dragged AAA to a bushy area, where co-accused-appellant Granada was waiting. Both men forced AAA to lie down, undressed her, and thereafter, took turns in having sexual intercourse with her. The accused-appellants ordered AAA to keep quiet, and threatened to kill her, if she made any noise. After which, the accused-appellants left AAA.⁵

AAA's son, BBB, who was 7 years old at the time of the incident, confirmed that on September 13, 2000, he saw Martinez grab AAA's hand and drag her outside their house. BBB likewise related that Martinez threatened to hurt him, if he followed them outside.⁶

³ The real name of the victim, her personal circumstances and other information which tend to establish or compromise her identity, as well as those of her immediate family, or household members, shall not be disclosed to protect her privacy, and fictitious initial shall, instead, be used, in accordance with *People v. Cabalquinto* (533 Phil. 703 [2006]) and the Amended Administrative Circular No. 83-2015 dated September 5, 2017.

⁴ *Rollo*, pp. 51; 112.

⁵ *Id.* at 113-114.

⁶ *Id.* at 114.



As a result of the rape, AAA became pregnant. She reported the incident to her mother, CCC. She related that Granada was the father of her child.⁷

Thereafter, sometime in February 2001, Martinez's mother, Linda Martinez (Linda), went to CCC's house to make arrangements regarding AAA's pregnancy. Linda admitted that it was Martinez who fathered the child, and stated that he was willing to offer support. However, the discussion turned into a quarrel.⁸

During the trial, Yolita Gallo (Gallo), a social worker at the Municipality of Tudela, and Anna Clara Alvez (Alvez), a psychologist at the Don Vicente Sotto Memorial Medical Center in Cebu City both testified on the mental condition of AAA. Gallo related that the test results of her study on AAA revealed that the latter did not act in accordance with her age. Gallo also observed that AAA needed assistance in taking care of her son BBB. Similarly, Alvez, noted that although AAA was 35 years old at the time of the rape incident, she possessed a mental ability of a 7 year old child. In fact, AAA obtained an IQ GDC score of 60, which revealed that she suffers from a Mild Mental Retardation.⁹

Evidence for the Defense

On the other hand, the accused-appellants vehemently denied the charge of rape. The accused-appellants claimed that the charge was concocted out of anger and was a scheme to extort money from them.

Martinez narrated that at around 12:00 midnight on September 13, 2000, AAA arrived at his home in Barangay General, Tudela, Cebu. While at his house, he and AAA engaged in sexual intercourse, as they were sweethearts. As a result thereof, AAA became pregnant.¹⁰

Martinez further related that on November 13, 2000, CCC summoned him and asked him to marry AAA. He did not agree to the marriage, but undertook to support the child. Apparently, this angered CCC, who pulled out a bladed weapon and started chasing him.¹¹

Co-accused-appellant Granada likewise denied having raped AAA. He related that AAA and Martinez were lovers. He saw AAA and Martinez being intimate on the night of September 13, 2000. He claimed that CCC

⁷ Id. at 114.

⁸ Id. at 76.

⁹ Id. at 51-52.

¹⁰ Id. at 44-45.

¹¹ Id. at 45.

Meyer

merely implicated him in the charge, because she was angry that he restrained her (CCC) when she pointed a bladed weapon at Martinez.¹²

Ruling of the Trial Court

On May 28, 2012, the Regional Trial Court (RTC) rendered a Decision¹³ holding that the prosecution established the guilt of the accused-appellants for the crime of rape beyond reasonable doubt. Likewise, the RTC refused to give credence to the sweetheart defense raised by Martinez. According to the RTC, such a defense failed against AAA's testimony that the accused-appellants defiled her. Also, the RTC interpreted Martinez's offer to support AAA's child, as a compromise which may be viewed as an implied admission of guilt.¹⁴ The dispositive portion of the RTC decision reads:

WHEREFORE, for all the foregoing considerations, this Court finds [accused-appellants] GUILTY beyond reasonable doubt of the crime of rape and hereby sentences each of them to suffer the penalty of reclusion perpetua.

Each of the accused is hereby ordered to indemnify the victim in the amount of Php 75,000.00 as moral damages and Php 25,000.00 as exemplary damages.

No costs.

SO ORDERED.¹⁵

Aggrieved, the accused-appellants filed an appeal before the CA.

Ruling of the CA

On April 26, 2016, the CA rendered the assailed Decision¹⁶ finding the accused-appellants guilty beyond reasonable doubt of rape. The CA refused to give credence to the sweetheart defense offered by the accused-appellants. According to the CA, Martinez failed to corroborate his claim that he and AAA were sweethearts. Likewise, echoing the finding of the RTC, the CA deemed Martinez's offer to support the child as an implied admission of guilt. Finally, the CA held that carnal knowledge of a mental retardate amounts to rape, considering that a mental retardate is unable to give her consent to the sexual act. Thus, the CA held the accused-appellants guilty of rape under Article 266-A, paragraph 1(d) of the RPC.

¹² Id.
¹³ Id. at 51-57.
¹⁴ Id. at 55.
¹⁵ Id. at 57.
¹⁶ Id. at 111.

Mejia

The dispositive portion of the assailed CA decision reads:

WHEREFORE, this Appeal is hereby **DENIED**. The Decision of the [RTC], Branch 25, Danao City in Criminal Case No. DNO-2618 is hereby **AFFIRMED**.

SO ORDERED.¹⁷

Dissatisfied with the ruling, the accused-appellants filed with this Court a Notice of Appeal¹⁸ under Section 13 of Rule 124 of the 2000 Rules of Criminal Procedure.

The Issue

The essential issue for the Court's resolution is whether or not the accused-appellants' conviction should be upheld.

In seeking the reversal of the assailed CA decision, Martinez points out that he and AAA were sweethearts. As lovers, their sexual congress was consensual and was an expression of their love for each other.¹⁹ Likewise, Martinez claims that he was not aware of AAA's mental condition. In fact, he relates that AAA's condition was unknown to the community, since it appeared that AAA was able to take care of herself and raise her child. Martinez thus argues that the sexual intercourse with AAA, being consensual, coupled with his ignorance of her mental retardation, negate any criminal intent to rape her.²⁰

Moreover, both the accused-appellants insist that the lone testimony of AAA was not sufficient to prove the charge of rape. They claim that her testimony was not credible, and was riddled with inconsistencies. They point out that in AAA's direct testimony she claimed that she was raped four times, while on cross-examination, she said it was 10 times. Further, they allege that since AAA was a mental retardate, her testimony was susceptible of coercion, and she could have been persuaded into accusing them of rape.²¹

On the other hand, the People, through the Office of the Solicitor General (OSG) maintains that the evidence presented by the prosecution proved beyond reasonable doubt that the accused-appellants had successive sexual intercourse with AAA, a mental retardate, with a mental age of 7. As such, AAA was incapable of giving intelligent consent to the sexual act. Anent the accused-appellants' allegation that AAA's testimony was

¹⁷ Id. at 124.

¹⁸ Id. at 126-127.

¹⁹ Id. at 45.

²⁰ Id. at 46.

²¹ Id. at 46-48.

Meyer

inconsistent, the OSG counters that such minor variance may be expected taking into account AAA's mental capacity. What matters is that AAA clearly narrated the circumstances of how she was raped, and positively identified the accused-appellants as the assailants who had carnal knowledge with her.

Ruling of the Court

The instant petition is bereft of merit.

The prosecution established beyond reasonable doubt that the accused-appellants are guilty of rape

Article 266-A of the RPC, as amended by Republic Act No. 8353,²² defines the crime of rape as follows:

Art. 266-A. Rape, When and How Committed. – Rape is committed –

- 1) By a man who shall have carnal knowledge of a woman under any of the following circumstances:
 - a. Through force, threat or intimidation;
 - b. When the offended party is deprived of reason or is otherwise unconscious;
 - c. By means of fraudulent machination or grave abuse of authority;
 - d. When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present;

Accordingly, to sustain a conviction for rape through sexual intercourse, the prosecution must prove the following elements beyond reasonable doubt, namely: (i) that the accused had carnal knowledge of the victim; and (ii) that said act was accomplished (a) through the use of force or intimidation, or (b) when the victim is deprived of reason or otherwise unconscious, or (c) by means of fraudulent machination or grave abuse of authority, or (d) when the victim is under 12 years of age or is demented.²³

Parenthetically, jurisprudence holds that “[c]arnal knowledge with a woman who is a mental retardate is rape.”²⁴ This stems from the fact that “a mental condition of retardation deprives the complainant of that natural instinct to resist a bestial assault on her chastity and womanhood.”²⁵ Consequently, sexual intercourse with one who is intellectually weak to the

²² The Anti-Rape Law of 1997

²³ *People v. Esteban*, 735 Phil. 663, 670 (2014).

²⁴ *People v. Suansing*, 717 Phil. 100, 109 (2013).

²⁵ *Id.* at 109.

Mejer

extent that she is incapable of giving consent to the carnal act already constitutes rape.²⁶ This is true regardless of the presence or absence of resistance.²⁷ Only the fact of sexual congress between the accused and the victim, as well as the latter's mental retardation must be proven.²⁸

In the case at bar, the prosecution sufficiently established beyond reasonable doubt that the accused-appellants successively had carnal knowledge with AAA on September 13, 2000, by taking turns in inserting their penis into her vagina, against her will and without her consent. In fact, AAA narrated the harrowing details of her defilement, as follows:

PROS. MACIAS:

Q: Can you still remember where you were on September 13, 2000?

A: I was at home.

Q: Do you remember if you saw the accused in this case on September 13, 2000?

A: Yes, ma'am.

Q: Can you tell the Honorable Court what happened on this date?

A: They help each other in having sexual intercourse with me.

Q: Can you remember who was the first one who had sexual intercourse with you?

A: Lito.

Q: You said that Lito had sexual intercourse with you. What exactly did he do to you?

A: They took turns on me.

Q: They took turns on you on what?

A: They dragged me.

Q: Where did they dragged [sic] you?

A: In the bushes.

Q: Did anyone of the accused undress you?

Atty. Serbise: Leading your Honor.

Court: There was already a medical finding that witness is mentally demented. Leading questions will be allowed since she has a mental capacity of a minor person. Let the witness answer.

A: Yes ma'am.

Prosecutor Macias:

Q: What was it that was remove [sic] from you?

A: My panty.

²⁶

Id.

²⁷

People v. Quintos, 746 Phil. 809, 831 (2014).

²⁸

Supra note 24, at 109.

Meyer

Q: If they remove [sic] your panty, what happened next?
 A: They left me.

Q: Madam witness, did they not remove also their pants?
 A: They also removed their pants.

x x x x

Q: Ms. Witness, is it true that the accused in this case took turns in having sex with you?
 A: Yes, Ma'am.

Q: Madam witness, on that date, September 13, 2000, how many times did the accused have sex with you?
 A: Four (4) times.

Q: How did they have sex with you?
 A: They push and pull me.

Q: How did you feel when they had sex with you?
 A: I felt pain.

Q: Was there something inserted in your vagina?
 A: Yes sir.

Q: Can you tell the Honorable Court what was that thing inserted in your vagina?
 A: He said don't tell anybody or we will kill you.

Q: Ms. Witness, what was that thing inserted in your vagina? Was it the sex organ of the accused?
 A: Yes Ma'am.

x x x x

Prosecutor Macias:

Q: Whose sex organ was inserted in your vagina?
 A: The two of them.

Q: After they took turns in having sex with you, what happened next?
 A: They left.²⁹

The linchpin of AAA's testimony was that the accused-appellants took turns in having sexual intercourse with her. On this matter, she did not waver. The Court, on numerous occasions, held that by the peculiar nature of rape cases, conviction thereon most often rests solely on the basis of the offended party's testimony, if credible, natural, convincing, and consistent with human nature and the normal course of things.³⁰ This ruling exactly mirrors AAA's testimony.

²⁹ CA rollo, pp. 79-81.

³⁰ *People v. Baraail*, 690 Phil. 368, 375 (2012); *People v. Magayon*, 640 Phil. 121, 136 (2010); *People v. Corpuz*, 517 Phil. 622, 632-633 (2006).

Mejia

In addition to being threatened by the accused-appellants, it must be noted that AAA was rendered powerless against the accused-appellants' defilement, as she was incapable of giving consent to the sexual congress due to her mental retardation. AAA's mental disability was established through the testimonies of Gallo and Alvez, social worker and psychologist, respectively, who examined AAA. Based on the studies and tests they conducted on AAA, they concluded that AAA suffered from mental retardation, and had a mental capacity of a 7-year-old child.

Consequently, considering that AAA was suffering from mental retardation, she lacked the awareness and presence of mind to resist the sexual intercourse. It bears stressing that "the unconscious, the manipulated, the reason-deprived, the demented, and the young cannot be expected to offer resistance to sexual abuse for the simple reason that their mental statuses render them incapable of doing so. They are incapable of rational consent."³¹ Accordingly, sexual intercourse with them is rape.³²

AAA's mental retardation does not render her testimony incredible and unworthy of belief

The accused-appellants discredit AAA's testimony as incredible and inconsistent. Further, they allege that since AAA was a mental retardate, she could be easily coerced or influenced into creating a trumped up charge against them.³³

The Court is not persuaded.

Suffice it to say, in *People v. Quintos*,³⁴ the Court, citing *People v. Monticalvo*,³⁵ explained that the victim's mental condition does not by itself make her testimony incredible, as long as she can recount her experience in a straightforward, spontaneous, and believable manner, to wit:

Competence and credibility of mentally deficient rape victims as witnesses have been upheld by this Court where it is shown that they can communicate their ordeal capably and consistently. Rather than undermine the gravity of the complainant's accusations, it even lends greater credence to her testimony, that, someone as feeble-minded and guileless could speak so tenaciously and explicitly on the details of the rape if she has not in fact suffered such crime at the hands of the accused.³⁶

³¹ *People v. Quintos*, supra note 27, at 830.

³² Id. at 831.

³³ CA rollo, pp. 46-48.

³⁴ 746 Phil. 809 (2014).

³⁵ 702 Phil. 643 (2013).

³⁶ *People v. Quintos*, supra note 34, at 825.

Meyer

Moreover, it is settled that the victim's intellectual disability does not make her testimony unbelievable, especially when corroborated by other evidence.³⁷ In this regard, AAA's testimony that she was suddenly dragged out of her home by Martinez was corroborated by her son BBB. Furthermore, AAA became pregnant as a result of the rape, and Martinez acknowledged that he was the father of the child, and even offered to support the child. This is clearly an admission that he engaged in sexual intercourse with AAA.

Additionally, both the trial court and the CA found that AAA's testimony was clear and unequivocal. It is well-settled that in matters pertaining to the victim's credibility, the appellate court gives great weight to the trial court's findings, considering that it had the full opportunity to observe directly the witnesses' demeanor, conduct and manner of testifying.³⁸ Indeed, the emphasis, gesture, and inflection of the voice are potent aids in ascertaining the witness' credibility, which no longer appear on the records.³⁹ These are important in unearthing the truth and determining the witnesses' candor. As such, the Court accords great respect to the findings of the trial court.

Martinez's defense that he and AAA are lovers was not proven by competent and convincing evidence and will not prosper considering AAA's mental condition

Finally, in a bid to exonerate himself from the charge, Martinez claims that he and AAA were sweethearts.

The contention does not hold water.

It cannot be gainsaid that in cases where the accused raises the "sweetheart defense," there must be proof by compelling evidence, that the accused and the victim were in fact lovers and that the victim consented to the alleged sexual relations. The second is as important as the first, because love is not a license for lust.⁴⁰ Similarly, evidence of the relationship is required, such as tokens, love letters, mementos, photographs, and the like.⁴¹

³⁷ Id. at 820-821.

³⁸ *People v. Bosi*, 689 Phil. 66, 73 (2012).

³⁹ *People v. Caoile*, 710 Phil. 564, 578 (2013).

⁴⁰ *People v. Olesco*, 663 Phil. 15, 16 (2011).

⁴¹ Id. at 20-21, citing *People v. Baldo*, 599 Phil. 382, 388 (2009).

Reyes

In the case at bar, aside from Martinez's bare allegation that he and AAA were lovers, he failed to present any iota of evidence to establish his purported romantic relationship with AAA. This renders his claim self-serving and of no probative value.

At any rate, even assuming for the sake of argument that Martinez and AAA had a romantic relation, carnal knowledge with AAA, (even if consensual) would amount to rape due to her mental disability. Considering her mental retardation, she was incapable of giving rational consent, as she is regarded as not having reached the level of maturity that would give her the capacity to make prudent decisions, especially on matters involving sexuality.⁴² Thus, sexual intercourse with her is rape.

Neither can Martinez escape culpability by asserting that he had no knowledge of AAA's mental condition. The accused's knowledge of the victim's mental retardation is not an element for the charge of rape. "The RPC, as amended, punishes the rape of a mentally disabled person regardless of the perpetrator's awareness of his victim's mental condition."⁴³ Notably, proof that the accused knew of the victim's mental disability is important only for purposes of qualifying the charge of rape, under Article 266-B (paragraph 10) which imposes the death penalty if the offender knew of the victim's mental disability at the time of the commission of the rape.⁴⁴ This being said, ignorance of the victim's mental condition will not in any way exonerate the offender from the crime.

For his part, Granada claims that the rape charge was fabricated by CCC, who was motivated by ill-will in impleading him in the charge. Needless to say, the Court has time and again rejected the defense of denial as weak and self-serving. Verily, Granada's defense easily falters against the positive and categorical identification of AAA that he (Granada) raped her.

The proper charge and penalties

The Court notes that the CA convicted the accused-appellants of rape under Article 266-A, paragraph 1(d), of the RPC which pertains to carnal knowledge of a demented person. To put things in proper perspective, it must be stressed that carnal knowledge of a woman suffering from mental retardation is rape under Article 266-A, paragraph 1(b), which refers to carnal knowledge of a woman who is deprived of reason.⁴⁵

⁴² *People v. Quintos*, supra note 34, at 830-831.

⁴³ *People v. Caoile*, supra note 39, at 580-581.

⁴⁴ REVISED PENAL CODE, Article 266-B, as amended.

⁴⁵ *People v. Dalan*, 736 Phil. 298, 300-301 (2014), citing *People v. Tablang*, 619 Phil. 757, 766 (2009).

Meyer

In the cases of *Monticalvo*,⁴⁶ and *People v. Rodriguez*,⁴⁷ the Court clarified that:

[P]aragraph 1, Article 266-A of the [RPC], as amended by Republic Act No. 8353, provides for two (2) circumstances when carnal knowledge of a woman with mental disability is considered rape. Subparagraph (b) thereof refers to rape of a person “deprived of reason” while subparagraph (d) refers to rape of a “demented person.” **The term “deprived of reason” has been construed to encompass those suffering from mental abnormality, deficiency or retardation.** The term “demented,” on the other hand, means having *dementia*, which Webster defines as mental deterioration; also madness, insanity. *Dementia* has also been defined in Black’s Law Dictionary as a “form of mental disorder in which cognitive and intellectual functions of the mind are prominently affected; x x x total recovery not possible since cerebral disease is involved.” **Thus, a mental retardate can be classified as a person “deprived of reason,” not one who is “demented” and carnal knowledge of a mental retardate is considered rape under subparagraph (b), not subparagraph (d) of Article 266-A(1) of the [RPC], as amended.**⁴⁸ (Citations omitted and emphasis Ours)

Accordingly, the proper charge against the accused-appellants should be rape under Article 266-A, paragraph 1(b). Guided by the Court’s pronouncement in *People v. Caoile*,⁴⁹ and *Rodriguez*,⁵⁰ the accused-appellants’ conviction stands, since the Information alleged that the accused-appellants had carnal knowledge of AAA, a “mentally defective” woman. This is sufficient compliance with the constitutional mandate that an accused be informed of the nature of the charge against him.

All told, the prosecution sufficiently established the accused-appellants’ guilt beyond reasonable doubt. AAA’s testimony was credible, natural and convincing. She positively identified the accused-appellants as her perpetrators and candidly and truthfully narrated the details of the harrowing ordeal she suffered in their hands. In contrast, all that Martinez offered to buttress his innocence was his weak and unsubstantiated claim that he and AAA were sweethearts and that their sexual congress was consensual. In the same vein, Granada’s contention that the charge was created out of spite was unconvincing. Considering that the Information failed to state that the accused-appellants knew of the mental condition of AAA, the accused-appellants should be held guilty of simple rape, and must suffer the penalty of *reclusion perpetua*,⁵¹ without eligibility for parole.

⁴⁶ Supra note 35.

⁴⁷ G.R. No. 208406, February 29, 2016, 785 SCRA 262.

⁴⁸ Id. at 275-276.

⁴⁹ 710 Phil. 564, 578 (2013).

⁵⁰ Supra note 47.

⁵¹ REVISED PENAL CODE, Article 266-B. *Penalty.* - Rape under paragraph 1 of the next preceding article shall be punished by *reclusion perpetua*.

Meyer

As for the penalties, the Court deems it necessary to modify the amount of damages awarded by the lower court. The lower court erred by failing to award civil indemnity, and for granting a meager sum of Php 25,000.00 as exemplary damages.⁵²

It must be noted that the award of civil indemnity for the commission of an offense stems from Article 100 of the RPC which states that “[e]very person criminally liable for a felony is also civilly liable.”⁵³ Civil indemnity is awarded to the offended party as a kind of monetary restitution or compensation to the victim for the damage or infraction inflicted by the accused.⁵⁴ Guided by the foregoing, an award of civil indemnity in the amount of Php 75,000.00 should be granted in favor of AAA.

Likewise, the amount of exemplary damages should be increased from Php 25,000.00 to Php 75,000.00 to conform to current jurisprudence.⁵⁵ The importance of awarding the proper amount of exemplary damages cannot be overemphasized, as this species of damages is awarded to punish the offender for his outrageous conduct, and to deter the commission of similar dastardly and reprehensible acts in the future.⁵⁶

Finally, the Court affirms the award of moral damages in the amount of Php 75,000.00. Notably, in rape cases, once the fact of rape is duly established, moral damages are awarded to the victim without need of proof, in recognition that the victim necessarily suffered moral injuries from her ordeal.⁵⁷ This serves as a means of compensating the victim for the manifold injuries such as “physical suffering, mental anguish, serious anxiety, besmirched reputation, wounded feelings, and social humiliation” that the she suffered in the hands of her defiler.⁵⁸

WHEREFORE, premises considered, the instant appeal is hereby **DISMISSED for lack of merit**. Accordingly, the Decision dated April 26, 2016 of the Court of Appeals, in CA-G.R. CEB-CR-H.C. No. 01664, is **AFFIRMED with modification**. The accused-appellants, Raul Martinez and Lito Granada, are sentenced to *reclusion perpetua* without eligibility for parole, and are ordered to pay victim AAA: (i) Php 75,000.00 as civil indemnity; (ii) Php 75,000.00 as moral damages; and (iii) Php 75,000.00 as exemplary damages. All amounts due shall earn legal interest of six percent (6%) *per annum* from the date of this Decision until full payment.

⁵² CA rollo, p. 164.

⁵³ REVISED PENAL CODE, Article 100.

⁵⁴ *People v. Jugueta*, G.R. No. 202124, April 5, 2016, 788 SCRA 331.

⁵⁵ *Id.* at 383.

⁵⁶ *People of the Philippines v. Rommel Ronquillo*, G.R. No. 214762, September 20, 2017.

⁵⁷ *Id.*, citing *People v. Delabajan*, 685 Phil. 236, 245 (2012).

⁵⁸ *People of the Philippines v. Rommel Ronquillo*, *id.*

Meyer

SO ORDERED.

Reyes
ANDRES B. REYES, JR.
Associate Justice

WE CONCUR:

Antonio Carpio
ANTONIO T. CARPIO
Acting Chief Justice
Chairperson

Diosdado M. Peralta
DIOSDADO M. PERALTA
Associate Justice

Ms. Bern
ESTELA M. PERLAS-BERNABE
Associate Justice

Alfredo Benjamin S. Caguioa
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

CERTIFICATION

I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

Antonio Carpio
ANTONIO T. CARPIO
Acting Chief Justice

CERTIFIED TRUE COPY:

MA. LOURDES C. PERFECTO
MA. LOURDES C. PERFECTO
Division Clerk of Court
Second Division