



Republic of the Philippines  
**Supreme Court**  
 Manila

**THIRD DIVISION**

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated **February 19, 2020**, which reads as follows:*

**“G.R. No. 224205 (PEOPLE OF THE PHILIPPINES, plaintiff-appellee v. PEDRO BUEZA y ARAMBULO, accused-appellant).** — This Court resolves an ordinary appeal questioning the Court of Appeals Decision,<sup>1</sup> which affirmed the Regional Trial Court Decision<sup>2</sup> finding Pedro Bueza y Arambulo (Bueza) guilty beyond reasonable doubt of raping MMM.

In an Information, Bueza was charged with raping MMM, as follows:

That, on or about the 14<sup>th</sup> day of May 2004, in the Municipality of Cardona, Province of Rizal, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, by means of force, threat and intimidation, did then and there willfully, unlawfully and feloniously have sexual intercourse with complainant MMM, a minor, seventeen (17) years old against her will and consent, which is aggravated by the circumstance of treachery, abuse of superior strength and cruelty, to the damage and prejudice of the latter.

CONTRARY TO LAW.<sup>3</sup> (Citations omitted)

When arraigned, Bueza pleaded not guilty to the charge. Thus, trial proceeded, with the prosecution presenting the testimonies of MMM and Police Superintendent Grace Sabino-Diangson (Superintendent Sabino-Diangson).<sup>4</sup>

<sup>1</sup> *Rollo*, pp. 2–11. The Decision was penned by Associate Justice Victoria Isabel A. Paredes and concurred in by Associate Justices Isaias P. Dicdican and Elihu A. Ybañez of the Ninth Division, Court of Appeals, Manila.

<sup>2</sup> *CA rollo*, pp. 35–36. The Decision was penned by Presiding Justice Dennis Patrick Z. Perez of Branch 67, Regional Trial Court, Binangonan, Rizal.

<sup>3</sup> *Rollo*, p.3.

<sup>4</sup> *Id.* at 4.

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MMM recalled that at around 7:30 a.m. on May 14, 2004, she was walking to the market in Barangay Sampad, Cardona, Rizal, when a man wearing a bonnet “suddenly grabbed her by [the] neck and dragged her off to a bamboo grove where he forcibly took off her clothes and mounted her.”<sup>5</sup> He then inserted his penis in her vagina.<sup>6</sup> When MMM tried to resist, her assailant “punched her in the stomach”<sup>7</sup> and hit her in the head and knees with a rock, rendering her unconscious.<sup>8</sup>

When she awoke at around 3:00 p.m., MMM crawled her way to the roadside where her husband found her. He brought her to the hospital for her injuries, and then to Camp Crame for a medical examination conducted by Dr. Pierre Paul Carpio (Dr. Carpio).<sup>9</sup>

MMM’s assailant was later identified as Bueza. MMM recognized him among the photographs of wanted criminals in the area through the “scar on the left side of his face.”<sup>10</sup>

Superintendent Sabino-Diangson, the medico-legal division chief of Camp Crame, testified on the medico-legal report executed by Dr. Carpio, who was unable to testify after having been assigned to Samar. She stated that based on Dr. Carpio’s assessment, MMM sustained injuries on her head and knees, had deep-healed hymenal lacerations at the 3, 6, and 9 o’clock positions, and a congested posterior fourchette. Barring complications, her injuries were expected to heal in 31 to 33 days.<sup>11</sup>

Bueza testified in his own defense. He narrated that at the time of the incident, he was just sewing a fishnet along the shore of Laguna De Bay in Barangay Janosa, Binangonan, Rizal. According to him, he was only informed of the charges when two (2) police officers went to his house and served him a warrant of arrest. At the police station, Bueza claimed that he was tortured by the officers and forced to admit to raping MMM.<sup>12</sup>

In its December 28, 2012 Decision,<sup>13</sup> the Regional Trial Court found Bueza guilty beyond reasonable doubt of MMM’s rape, disposing as follows:

The foregoing considered, we find Pedro Bueza GUILTY beyond reasonable doubt of rape under Article 266-A, Paragraph 1(a) in relation to Article 266-B, Revised Penal Code and sentence him to serve a penalty of

<sup>5</sup> CA rollo, p. 35.

<sup>6</sup> Rollo, p. 4.

<sup>7</sup> CA rollo, p. 35.

<sup>8</sup> Rollo, p. 4.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> Id.

<sup>12</sup> Id. at 4-5.

<sup>13</sup> CA rollo, pp. 35-36.

*Reclusion Perpetua*. We further order him to pay MMM ₱50,000.00 as moral damages and ₱50,000.00 as exemplary damages plus costs.

SO ORDERED.<sup>14</sup>

The trial court found MMM's testimony sufficient to convict Bueza. Being "straightforward and candid, unshaken by cross-examination and unflawed by inconsistencies or contradictions in its material points[,]"<sup>15</sup> her testimony held water against Bueza's self-serving, uncorroborated denial.<sup>16</sup> However, the trial court only found the presence of abuse of superior strength as an aggravating circumstance in the rape.<sup>17</sup>

On appeal to the Court of Appeals, Bueza faulted the prosecution for relying on the supposed weakness of his denial and alibi instead of the strength of its own evidence. Bueza argued that this, together with his testimony that he had no knowledge of MMM or of the alleged incident, and that he was allegedly tortured by police officers, showed that the prosecution failed to establish that he raped MMM.<sup>18</sup>

The prosecution maintained that the trial court correctly appreciated MMM's testimony as sufficient to show that Bueza raped her. It highlighted the portions of MMM's testimony detailing how Bueza raped her and how she was able to positively identify Bueza as her assailant.<sup>19</sup> Together with Dr. Carpio's medical findings, the prosecution argued that their evidence sufficiently established Bueza's guilt.<sup>20</sup>

In any event, the prosecution maintains, Bueza's alibi would still fail because it was uncorroborated and did not render it physically impossible for him to be where MMM was at the time she was raped.<sup>21</sup>

The Court of Appeals denied Bueza's appeal and affirmed the Regional Trial Court's finding of Bueza's guilt beyond reasonable doubt, with modification on the awards of damages. In its February 11, 2015 Decision,<sup>22</sup> the dispositive portion reads:

WHEREFORE, premises considered, the appeal is DENIED. The assailed December 28, 2012 Decision in Criminal Case No. 06-117 is AFFIRMED with MODIFICATION in that accused-appellant Pedro Bueza y Arambulo is ordered to pay MMM the amounts of ₱50,000.00 as civil

<sup>14</sup> CA *rollo*, p. 36.

<sup>15</sup> Id. at 35-36.

<sup>16</sup> Id. at 36.

<sup>17</sup> Id.

<sup>18</sup> Id. at 28-31.

<sup>19</sup> Id. at 50-51.

<sup>20</sup> Id. at 53.

<sup>21</sup> Id. at 54-55.

<sup>22</sup> *Rollo*, pp. 2-11.

indemnity, ₱50,000.00 as moral damages and ₱30,000.00 as exemplary damages, with interest at the rate of 6% per annum to the award of civil indemnity, moral damages, and exemplary damages from finality of judgment until fully paid.

SO ORDERED.<sup>23</sup>

The Court of Appeals held that a rape victim's testimony is sufficient to convict the accused if it is found "credible, natural, convincing, and consistent with human nature and the normal course of things."<sup>24</sup> It gave weight to MMM's testimony, along with the medical findings, to confirm the truth of her charges.<sup>25</sup>

As to Bueza's denial and alibi, the Court of Appeals affirmed the trial court's finding that MMM's positive assertions were more believable.<sup>26</sup>

Bueza filed a Notice of Appeal,<sup>27</sup> which was given due course on May 29, 2015.<sup>28</sup> When required to file supplemental briefs, both parties manifested that they were adopting the Briefs they filed before the Court of Appeals.<sup>29</sup>

The sole issue for this Court's resolution is whether or not accused-appellant Pedro Bueza y Arambulo is guilty beyond reasonable doubt of raping MMM.

The appeal is dismissed.

Article 266-A of the Revised Penal Code prescribes how rape is committed. It states in part:

Article 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 otherwise unconscious;

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<sup>23</sup> Id. at 10.

<sup>24</sup> Id. at 6.

<sup>25</sup> Id. at 8.

<sup>26</sup> Id. at 9.

<sup>27</sup> Id. at 12–14.

<sup>28</sup> Id. at 15.

<sup>29</sup> Id. at 19–24, OSG's Manifestation; and 25–29, accused-appellant's Manifestation.

c) By means of fraudulent machination or grave abuse of authority; and

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[.]

Here, the lower courts found that accused-appellant had carnal knowledge of MMM by using his superior strength to forcibly hold her down, violate her, and then render her unconscious with strikes to her head and knees. The medico-legal report indicated that MMM “sustained injuries on her head and knees, her hymen had deep-healed lacerations at 3, 6[,] and 9 o’clock positions, and her posterior fourchette was congested.”<sup>30</sup>

Accused-appellant now contends that the evidence offered in support of these findings is doubtful and should not have outweighed his defenses of denial and alibi.

The settled rule is that, unless it overlooked significant matters, the trial court’s determination of witnesses’ credibility will not be disturbed on appeal. This is so because the trial court has the opportunity to observe a witness’ demeanor while testifying. Its findings assume even greater weight when affirmed by the Court of Appeals.<sup>31</sup>

Here, the Regional Trial Court found MMM’s testimony credible and sufficiently corroborated by Superintendent Sabino-Diangson’s testimony and Dr. Carpio’s medico-legal report.<sup>32</sup> It deemed MMM’s testimony as “straightforward and candid, unshaken by cross-examination and unflawed by inconsistencies or contradictions in its material points[.]”<sup>33</sup> These findings were affirmed by the Court of Appeals, which also deemed MMM’s testimony as sufficiently corroborated by the prosecution’s other evidence.<sup>34</sup> Thus, the lower courts’ findings on MMM’s credibility should be upheld, more so in view of accused-appellant’s failure to raise sufficient reason for a reversal.

Accused-appellant’s denial and alibi are also insufficient to absolve him of guilt. His alibi was uncorroborated and, even assuming that it were true, it would not have made it physically impossible for him to be at the *locus criminis* at the time the crime was committed.<sup>35</sup> As to his denials, the rule

<sup>30</sup> Id. at 4.

<sup>31</sup> See *People v. Diu*, 708 Phil. 218 (2013) [Per J. De Castro, First Division]; *People v. Pentecostes*, G.R. No. 226158, November 8, 2017, 844 SCRA 611 [Per J. Caguioa, Second Division].

<sup>32</sup> CA rollo, p. 36.

<sup>33</sup> Id. at 35–36.

<sup>34</sup> Rollo, p. 8.

<sup>35</sup> *People v. Acosta*, 382 Phil. 810, 824 (2000) [Per J. Quisumbing, Second Division].

remains that “positive identification prevails over denial and alibi.”<sup>36</sup> Here, MMM was able to positively identify accused-appellant in open court as her father’s cousin and because of a distinctive scar on the left side of his face.<sup>37</sup>

The Court of Appeals found no reason to overturn the trial court’s findings, and neither do we. This Court affirms the lower courts’ assessment of MMM’s testimony. Accused-appellant was positively identified as the assailant, and the elements of simple rape—that accused-appellant forcibly obtained carnal knowledge of MMM without her consent—were duly established by MMM’s testimony and the prosecution’s other corroborating evidence. Accused-appellant is guilty of rape beyond reasonable doubt.

However, the Court of Appeals Decision should be modified as to accused-appellant’s monetary liability.

*People v. Jugeta*<sup>38</sup> provides:

When the circumstances surrounding the crime call for the imposition of *reclusion perpetua* only, there being no ordinary aggravating circumstance, the Court rules that the proper amounts should be ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages and ₱75,000.00 exemplary damages, regardless of the number of qualifying aggravating circumstances present.<sup>39</sup>

Thus, accused-appellant should be made liable to pay the victim the modified amounts of ₱75,000.00 as civil indemnity, ₱75,000.00 as moral damages, and ₱75,000.00 as exemplary damages.

**WHEREFORE**, the findings of fact and conclusions of law of the Court of Appeals are **AFFIRMED**. The February 11, 2015 Decision of the Court of Appeals in CA-G.R. CR-HC No. 06064 is **AFFIRMED with MODIFICATION**.

Accused-appellant Pedro Bueza y Arambulo is found **GUILTY** beyond reasonable doubt of rape. He is sentenced to suffer the penalty of *reclusion perpetua* and to pay MMM civil indemnity, moral damages, and exemplary damages at ₱75,000.00 each, as well as the costs of the suit.

<sup>36</sup> *Perez v. People*, G.R. No. 201414, April 18, 2018, <<http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/64141>> [Per J. Leonen, Third Division] citing *People v. Lubong*, 388 Phil. 474, 491 (2000) [Per J. Gonzaga-Reyes, Third Division].

<sup>37</sup> *CA rollo*, p. 51.

<sup>38</sup> 83 Phil. 806 (2016) [Per J. Peralta, En Banc].

<sup>39</sup> *Id.* at 840.

In line with current jurisprudence, all damages awarded shall be subject to interest at the rate of six percent (6%) per annum from the finality of this Resolution until fully paid.<sup>40</sup>

**SO ORDERED.”**

Very truly yours,

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

*Jan 21/20*

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(Criminal Case No. 06-177)

The Superintendent  
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Mr. Pedro A. Bueza  
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<sup>40</sup> See *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, En Banc].

