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Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE
PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 224212

Present:

PERLAS-BERNABE, J.,
Chairperson,
REYES, A. JR.,
HERNANDO,
INTING, and
ZALAMEDA,* JJ.

versus

ROMEO DE CASTRO DE
GUZMAN,
Accused-Appellant.

Promulgated:

27 NOV 2019

X-----X

DECISION

HERNANDO, J.:

This is an appeal under Rule 124¹ of the Rules of Court challenging the May 26, 2015 Decision² of the Court of Appeals (CA) in CA-G.R. CR-HC No. 06680, which affirmed with modification the January 20, 2014 Joint Decision³ of the Regional Trial Court (RTC), Las Piñas City, Branch 254, in Crim. Case Nos. 11-0400 and 11-0540, finding accused-appellant Romeo De Castro De Guzman (De Guzman) guilty of two counts of Qualified Rape.

The Antecedents

De Guzman appeals his conviction for two counts of qualified rape. He denies the charges and argues that his guilt has not been proven beyond reasonable doubt.

* Designated additional member per Special Order No. 2727 dated October 25, 2019.

¹ As amended by A.M. No. 00-5-03-SC.

² *Rollo*, pp. 2-18; penned by Associate Justice Magdangal M. de Leon and concurred in by Associate Justices Jane Aurora C. Lantion and Nina G. Antonio-Valenzuela.

³ *CA rollo*, pp. 31-42; penned by Presiding Judge Gloria Butay Aglugub.

In two separate Informations both dated May 11, 2011, De Guzman was charged with Qualified Rape in relation to Republic Act (RA) No. 7610, the accusatory portions of which read:

In Criminal Case No. 11-0400 (Qualified Rape in relation to RA 7610):

That on or about the 9th day of May 2011, in the City of Las Piñas, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, with lewd designs, did then and there willfully, unlawfully and feloniously had carnal knowledge [of AAA⁴], a fifteen (15)[-]year old minor, without her consent, by means of force, threat and intimidation, and by taking advantage of his moral ascendancy over her, he being her step-parent, thereby subjecting her to sexual abuse; the act complained of is prejudicial to the physical, psychological and moral development of the said minor, and which degrades or demeans her intrinsic worth and dignity as a human being.

CONTRARY TO LAW.⁵

In Criminal Case No. 11-0540 (Qualified Rape in relation to RA 7610):

That sometime in year 2003, in the City of Las Piñas, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, with lewd designs, did then and there willfully, unlawfully and feloniously had carnal knowledge [of AAA], an eight (8)[-]year old minor, without her consent, by means of force, threat and intimidation, and by taking advantage of his moral ascendancy over her, he being her step-parent, thereby subjecting her to sexual abuse; the act complained of is prejudicial to the physical, psychological and moral development of the said minor, and which degrades or demeans her intrinsic worth and dignity as a human being.

CONTRARY TO LAW.⁶

During his arraignment, De Guzman entered a plea of “not guilty.”⁷

At the pre-trial, the parties stipulated on the following: a) jurisdiction of the court; b) identity of the accused; and c) the victim was still a minor at the time of the alleged incidents.⁸

The pertinent facts, as stated in the Appellee’s Brief (represented by the Office of the Solicitor General), are as follows:

⁴ “The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to Republic Act No. 7610, An Act Providing for Stronger Deterrence And Special Protection Against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, And for Other Purposes; Republic Act No. 9262, An Act Defining Violence Against Women And Their Children, Providing For Protective Measures For Victims, Prescribing Penalties Therefor, And for Other Purposes; and Section 40 of A.M. No. 04-10-11-SC, known as the Rule on Violence against Women and Their Children, effective November 15, 2004.” (*People v. Dumadag*, 667 Phil. 664, 669 [2011]).

⁵ *CA rollo*, p. 45.

⁶ *Id.* at 47.

⁷ Records, p. 22.

⁸ *Id.* at 37.

AAA was born on January 20, 1996. After the separation of her mother BBB⁹ with her biological father, BBB cohabited with appellant, who acted as his stepfather. Appellant also has two (2) biological children with BBB.

Sometime in 2003, when AAA was only eight (8) years old, appellant who was then at the small extension of their house at x x x asked AAA to join him. At that time[,] BBB was out of their house doing laundry. AAA's siblings were also asleep.

AAA approached appellant who made her lie down on the floor and removed her shorts and underwear. Appellant then inserted his penis [into] AAA's vagina. AAA felt pain but did not shout because prior to this, appellant warned AAA against reporting the incident to anyone, including her mother. Appellant also told AAA not to make any noise. Out of fear, AAA did not report the rape to her mother.

AAA was repeatedly raped on separate occasions, which she did not also report to her mother. In order to avoid appellant, AAA often spent time with her friends outside of their house. Meanwhile, AAA's mother did not appreciate this so she shaved AAA's head. At this point, AAA also stopped studying.

Thereafter, AAA transferred to the house of her aunt, [CCC¹⁰], x x x where she continued her studies. While living with her aunt [CCC] sometime in March 2011, she disclosed to her aunt [CCC] that appellant raped her.

Another incident of rape occurred when AAA returned to their new house x x x. On May 9, 2011, at around 2:00 p.m., appellant approached AAA while [she was sorting out] her younger brothers' toys. He immediately removed AAA's shorts and underwear, and instructed AAA to lie down on the floor. Appellant then inserted his penis into AAA's vagina. AAA did not shout because she was scared. No one was home at the time of the said incident because AAA's mother was doing laundry at her employer's house, while her brothers were playing outside.

The following day, or on May 10, 2011, at around 11:00 a.m., AAA's aunt [DDD¹¹] went to their house x x x when she learned from [CCC] about what happened. Afterwards, [DDD] brought AAA to her own house where she confronted AAA regarding the sexual abuse committed by appellant. AAA then confirmed that appellant indeed raped her.

Soon after, AAA and her aunt [DDD] went to her uncle [EEE¹²]. They then proceeded to the Department of Social Welfare and Development (DSWD) and to the Las Piñas Police Station for purposes of reporting AAA's rape.¹³ (Citations omitted)

During trial, AAA's birth certificate¹⁴ was presented which revealed that she was only around seven years old (not yet eight years old as indicated in the Information) when the first rape was committed against her in 2003, as

⁹ *Supra* note 4.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *CA rollo*, pp. 95-96.

¹⁴ *Records*, p. 58.

she was born on January 20, 1996. AAA was 15 years old when she was raped on May 9, 2011.

The prosecution likewise established that AAA submitted herself to a medical examination wherein the attending medico-legal officer found that she had both shallow and deep healed hymenal lacerations, which confirmed that there was a prior blunt force or penetrating trauma to the area. This was affirmed by the Initial Medico-Legal Report¹⁵ dated May 10, 2011 and the subsequent Medico-Legal Report No. R11-748¹⁶ dated May 13, 2011.

Police Chief Inspector Editha Martinez, who conducted the medico-legal examination, affirmed the findings in the medico-legal report during her testimony. She stated that a possible cause of the lacerations would be any hard blunt object that penetrated the hymen, which could include an erect penis.¹⁷ On cross-examination, though, she admitted that it was possible that the trauma caused on the hymen could have been self-inflicted.¹⁸

Significantly, AAA, during her testimony, affirmed that De Guzman is her stepfather.¹⁹ She also narrated how De Guzman took advantage of her during the 2003 incident, as follows:

[Pros. Sylvia I. Butial]: Can you tell the Court of any incident that transpired in 2003, inside your house x x x?

[AAA]: My mother was not at home then. She was doing the laundry and my siblings were then asleep when this incident happened, Ma'am.

Q: Do you recall the [month] when this incident happened?

A: No more, Ma'am.

Q: What happened when your mother was not at home and your siblings were then sleeping?

A: My stepfather who was then at the small extension of our house called me, Ma'am.

Q: Can you tell me the name of your stepfather?

A: Romeo De Castro De Guzman, Ma'am.

Q: What did you do when Romeo De Castro De Guzman called you x x x?

A: I approached [him], Ma'am.

Q: What happened when you approached Romeo De Castro De Guzman?

A: He made me lie down on the floor and removed my shorts and panty, Ma'am.

Q: What happened after he removed your shorts and panty?

A: He inserted his penis [into] my vagina, Ma'am.

Q: How did you feel when he did that to you?

A: It was painful, Ma'am.

¹⁵ *Id.* at 56.

¹⁶ *Id.* at 190.

¹⁷ TSN, August 30, 2013, pp. 10-12.

¹⁸ *Id.* at 16.

¹⁹ TSN, February 28, 2012, p. 5.

Q: Did you shout when he did that to you?

A: No, Ma'am.

Q: Why did you not shout?

A: Because before he did that to me, he told me not to report to my mother nor to anyone and not to make any noise, Ma'am.

Q: What else did he tell you before he inserted his penis [into] your vagina?

A: That's all, Ma'am.

Q: Did you tell your mother [about] what the accused did to you?

A: No, Ma'am.

Q: Why not?

x x x x

A: Because I was scared, Ma'am.²⁰

Likewise, AAA narrated what De Guzman did to her during the May 9, 2011 incident, as follows:

[Pros. Sylvia I. Butial]: Can you also tell the Court if there was any unusual incident that transpired on May 9, 2011?

[AAA]: Yes, Ma'am.

Q: What was that incident?

A: That same day, he again did the same thing he was doing to me, Ma'am.

Q: Who is that person you are referring to?

A: Romeo De Guzman, Ma'am.

Q: Can you tell the Court what exactly did Romeo De Guzman do to you?

A: He removed my shorts and my panty and he inserted his penis [into] my vagina, Ma'am.

Q: How old were you then?

A: I was 15 years old, Ma'am.²¹

AAA stated that she was alone at the time and while she was sorting the toys of her siblings, De Guzman approached her. Thereafter, he immediately removed her shorts and panty and instructed her to lie down on the floor. She did not do anything because she did not know who to ask help from in case she had the chance to do so. Moreover, she explained that she did not shout because she was scared, and that she did not tell her mother about what happened. After the harrowing experience, AAA stayed at her cousin's house. Afterwards, AAA's aunt, DDD, asked AAA about the rape incidents. AAA then relayed to DDD that De Guzman raped her. In turn, DDD told her brother EEE about what happened to AAA. Together, they brought AAA to the Department of Social Welfare and Development (DSWD) to report the crime.²²

²⁰ *Id.* at 7-10.

²¹ *Id.* at 10-11.

²² *Id.* at 12-18.

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On cross-examination, AAA averred that her brothers were sleeping when the 2003 incident occurred. She likewise revealed that she had earlier told her aunt CCC about what De Guzman did to her.²³

AAA further narrated that in April 2010, her mother sent her to stay with her aunt CCC. AAA explained that at the time, she would usually go out with her friends to avoid staying at home with De Guzman. Unaware of the reasons for such display of attitude, she caught the ire of her mother causing the latter to shave her head and to force her to discontinue her studies.²⁴ Even so, AAA revealed that she was terrified to tell her mother about the rape incidents because she feared that her mother would only scold her and not support her. She likewise claimed that there were other rape incidents.²⁵

DDD, BBB's sister and AAA's aunt, testified that she asked for the transfer of custody of AAA to the DSWD-Marillac Hills because BBB was trying to convince AAA to desist from pursuing the case.²⁶

The defense presented De Guzman as its lone witness. De Guzman denied the accusations against him. He alleged that AAA was a problematic child and even joined a gang so much so that her mother shaved her head. Due to this, De Guzman and BBB sent AAA to live with her aunt CCC in Montalban. He likewise claimed that AAA was angry at him because he always scolds her, especially since AAA was seeing her boyfriend. He claimed that AAA's aunts, the ones who helped AAA file the case, were averse to him. He reiterated that there was no truth in the allegations.²⁷

The Ruling of the Regional Trial Court

In a Joint Decision²⁸ dated January 20, 2014, the RTC ruled that the victim's testimony established the existence of the elements of rape under Article 266-A, paragraph (1)(a) of the Revised Penal Code (RPC), as amended. It found that AAA's testimony positively and categorically demonstrated that De Guzman succeeded in having carnal knowledge of her. It added that in an incestuous rape of a minor, there is no need to prove employment of actual force or intimidation since the overpowering moral influence of the father (supposedly in this case, stepfather) would suffice. The trial court further held that AAA's accusations cannot be dismissed and treated as a mere concoction since a child of such a young age who willingly underwent medical examination and the rigors of a public trial to seek justice cannot be deemed as someone who was merely making up the accusations.

The RTC appreciated the qualifying circumstances of minority and relationship. The RTC noted that AAA was only eight years old during the 2003 rape incident and 15 years old during the 2011 rape incident. Moreover,

²³ *Id.* at 27 and 31.

²⁴ TSN, May 29, 2012, p. 4.

²⁵ *Id.* at 13-14.

²⁶ TSN, December 4, 2012, p. 10.

²⁷ TSN, November 22, 2013, pp. 5-17.

²⁸ CA *rollo*, pp. 31-42.

the RTC held that the qualifying circumstance of relationship, *i.e.*, that De Guzman was the victim's stepparent, was established by the admission of De Guzman himself.²⁹ Meanwhile, De Guzman's denial and claim that the victim's aunts harbored anger towards him were not considered by the trial court, his denial being self-serving and cannot prevail over the positive and categorical testimony of the victim. Hence, the dispositive portion of the RTC's Joint Decision reads:

WHEREFORE, premises considered, judgment is hereby rendered, finding accused ROMEO DE CASTRO DE GUZMAN, **GUILTY as charged in Criminal Case Nos. 11-0400 and 11-0540**, and is hereby sentenced to suffer the penalty of *Reclusion Perpetua, for each case*, and to pay the private complainant AAA, the amount[s] of SEVENTY[-]FIVE THOUSAND PESOS (₱75,000.00) as civil indemnity, SEVENTY[-]FIVE THOUSAND PESOS (₱75,000.00), as moral damages, and Fifty Thousand Pesos (₱50,000.00), as exemplary damages.

SO ORDERED.³⁰

Aggrieved, De Guzman appealed³¹ before the Court of Appeals and assigned this sole error:

THE COURT *A QUO* GRAVELY ERRED IN CONVICTING THE ACCUSED-APPELLANT OF THE OFFENSES CHARGED DESPITE THE PROSECUTION'S FAILURE TO ESTABLISH HIS GUILT BEYOND REASONABLE DOUBT.³²

The Ruling of the Court of Appeals

The CA, in its assailed May 26, 2015 Decision,³³ likewise held that the twin circumstances of minority of the victim and her relationship to the offender concurred and raised the offense to qualified rape. It likewise found the testimonies of AAA and the other prosecution witnesses to be more credible. Additionally, it accorded great weight to the findings of fact of the trial court.³⁴ Hence, the appellate court affirmed the RTC's ruling finding De Guzman guilty of two counts of qualified rape with modification on the award of exemplary damages, as follows:

WHEREFORE, the RTC *Joint Decision* dated January 20, 2014 is **AFFIRMED with MODIFICATION** as to the amount of exemplary damages, which should be reduced from FIFTY THOUSAND PESOS (₱50,000.00) to THIRTY THOUSAND PESOS (₱30,000.00).

SO ORDERED.³⁵

Discontented, De Guzman appealed³⁶ his case before Us. Thus, the

²⁹ *Id.* at 40-41.

³⁰ *Id.* at 41-42.

³¹ *Id.* at 43-44.

³² *Id.* at 59.

³³ *Rollo*, pp. 2-18.

³⁴ *Id.* at 12-16.

³⁵ *Id.* at 17-18.

³⁶ *Id.* at 19-21.

main issue is whether or not he is guilty beyond reasonable doubt of the felony of Qualified Rape.

The Ruling of the Court

The appeal is partly meritorious.

De Guzman argues that since AAA's testimony was unnatural, inconsistent and unconvincing, her credibility was doubtful. He contends that it should not be assumed that AAA's hymenal lacerations resulted from rape incidents as these may have been caused by something else. Moreover, even if the lacerations were caused by forcible sexual intercourse, it does not automatically mean that De Guzman was the perpetrator considering that she has a boyfriend. Finally, De Guzman vehemently denies the charges against him.³⁷

The People counters that De Guzman exercised moral ascendancy over AAA as he assumed parental authority over her during her formative years. Hence, actual force or intimidation need not be employed when the influence of De Guzman over her already suffices. Moreover, due to AAA's minority at the time of the commission of the felonies, the trial court correctly qualified the offense of rape pursuant to Article 266-B (1) of the RPC.³⁸ Moreover, it insists that De Guzman's defense of denial was inherently weak and could not prevail over AAA's positive testimony, which was supported by the medico-legal report and the testimony of the examining physician. It emphasizes that the trial court correctly ruled that her testimony deserved merit, as it was in the best position to assess the deportment of the witnesses during trial. This is notwithstanding the alleged inconsistencies in her testimony, which even erased the suspicion of a rehearsed testimony and manifested her innocence and spontaneity in relating her story despite the rigors of a public trial. It likewise argues that AAA's failure to physically resist should not be construed against her credibility as it did not negate the commission of rape against her especially when intimidated and instilled with fear by the offender.³⁹

Article 266-A, paragraph (1) of the RPC reads as follows:

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 is otherwise unconscious;
 - 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

³⁷ *Id.* at 64-68.

³⁸ *Id.* at 100.

³⁹ *Id.* at 100-111.

demented, even though none of the circumstances mentioned above be present.

x x x x⁴⁰ (Emphasis supplied)

Under Article 266-B of the RPC, Rape under paragraph 1 of Article 266-A shall be punished by *reclusion perpetua*. However, rape is considered qualified and the death penalty shall be imposed –

1. When the victim is under eighteen (18) years of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common law spouse of the parent of the victim[.]

Relevantly, the elements of qualified rape are: “(1) sexual congress; (2) with a woman; (3) done by force and without consent; (4) the victim is under [eighteen] years of age at the time of the rape; and (5) the offender is [either] a parent (whether legitimate, illegitimate or adopted), [ascendant, stepparent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouse of the parent] of the victim.”⁴¹ The minority of the victim **and** his or her relationship with the offender should **both** be alleged in the Information and proven beyond reasonable doubt during trial in order to qualify the rape charge as these circumstances have the effect of altering the nature of the rape and its corresponding penalty. Otherwise, the death penalty cannot be imposed upon the offender.⁴²

In this case, AAA’s minority was properly alleged and indisputably proven during trial. She was below 18 years old at the time the crimes were committed against her. Moreover, it was proven by evidence that De Guzman forced AAA into engaging in sexual congress by using threats and intimidation and without her consent, in addition to his moral ascendancy over her.

Corollarily, it was alleged in the Informations that De Guzman was AAA’s “stepfather.” A “stepfather” is the “husband of one’s mother by virtue of a marriage subsequent to that of which the person spoken of is the offspring. It presupposes a legitimate relationship between the appellant and the victim’s mother.”⁴³

However, during trial, the prosecution failed to establish this stepparent-stepdaughter relationship between De Guzman and AAA. No proof of marriage was presented in order to establish De Guzman’s legal relationship with BBB. In other words, De Guzman cannot be considered as

⁴⁰ REVISED PENAL CODE, Article 266-A, as amended by Republic Act No. 8353 (1997).

⁴¹ *People v. Salaver*, G.R. No. 223681, August 20, 2018, citing *People v. Colentava*, 753 Phil. 361, 372-373 (2015).

⁴² *People v. Begino*, 601 Phil. 182, 190 (2009), citing *People v. Ferolino*, 386 Phil. 161, 179 (2000); *People v. Bayya*, 384 Phil. 519, 527 (2000); *People v. Maglente*, 366 Phil. 221 (1999); *People v. Ilao*, 357 Phil. 656, 672 (1998); *People v. Ramos*, 357 Phil. 559, 575 (1998).

⁴³ *People v. Begino, id.*, citing *People v. Radam, Jr.*, 434 Phil. 87, 100 (2002).

the stepfather of AAA as alleged in the Informations. On the contrary, records show that De Guzman was actually the common-law spouse of BBB as he was not legally married to her. Since De Guzman's relationship with AAA as alleged in the Informations was not proven beyond reasonable doubt, De Guzman cannot be convicted of Qualified Rape, only Simple Statutory Rape and Simple Rape. Stated differently, "the crime is only simple rape, although the State successfully proves the common-law relationship, where the information does not properly allege the qualifying circumstance of relationship between the accused and the female. This is because the right of the accused to be informed of the nature and cause of the accusation against him is inviolable."⁴⁴

According to *People v. Begino*,⁴⁵ the "qualifying circumstances must be properly pleaded in the indictment. If the same are not pleaded but proved, they shall be considered only as aggravating circumstances since the latter admit of proof even if not pleaded. It would be a denial of the right of the accused to be informed of the charges against him and consequently, a denial of due process, if he is charged with simple rape and be convicted of its qualified form, although the attendant circumstance qualifying the offense and resulting in the capital punishment was not alleged in the indictment on which he was arraigned."⁴⁶ Since the qualifying circumstance of relationship was not properly pleaded and proved in the case at bench, De Guzman should only be convicted of Simple Statutory Rape and Simple Rape under paragraph 1 of Article 266-A of the RPC.

To reiterate, AAA was below 18 years old at the time of the commission of the crimes against her. The evidence showed that De Guzman had carnal knowledge of the victim on two occasions by using threats and intimidation and his moral ascendancy over her. Upon assessment, the manner by which AAA narrated the commission of the felonies, which was corroborated by the medico-legal officer, confirmed that De Guzman was guilty beyond reasonable doubt of Simple Statutory Rape in Crim. Case No. 11-0540 and Simple Rape in Crim. Case No. 11-0400. Indeed, "[i]t is settled that when a rape victim's account is straightforward and candid, and is corroborated by the medical findings of the examining physician, the testimony is sufficient to support a conviction."⁴⁷ Definitely, AAA's positive and categorical testimony prevails over De Guzman's self-serving denial without sufficient proof, as well as his attempt to cast doubt upon the motives of AAA's aunts to pursue the case.⁴⁸ This Court has consistently emphasized that "a young girl's revelation that she had been raped, coupled with her voluntary submission to medical examination and willingness to undergo public trial where she could be compelled to give out the details of an assault on her dignity, cannot be so

⁴⁴ *People v. Arcillas*, 692 Phil. 40, 42 (2012); see *People v. Mamac*, 388 Phil. 342, 351-352 (2000); *People v. Fraga*, 386 Phil. 884, 909-911 (2000); *People v. Balacano*, 391 Phil. 509, 525-527 (2000).

⁴⁵ *People v. Begino*, supra note 43.

⁴⁶ *Id.* at 192, citing *People v. Garcia*, 346 Phil. 475, 504-505 (1997).

⁴⁷ *People v. Traigo*, 734 Phil. 726, 730 (2014).

⁴⁸ *People v. Colentava*, supra note 42 at 377-378.

easily dismissed as mere concoction.”⁴⁹

Based on Our evaluation, the testimonies of the prosecution witnesses should be accorded great weight since the trial court found the said testimonies more convincing as these corroborated each other on material points. Absent any indication that the trial court committed errors in its appreciation of the evidence, We see no reason to deviate from the factual findings of the trial court that De Guzman had carnal knowledge of AAA on two instances, as charged in the Informations.⁵⁰

In conclusion, the Court finds accused-appellant De Guzman guilty of simple statutory rape in Crim. Case No. 11-0540 and Simple Rape in Crim. Case No. 11-0400 under paragraph 1(d) of Article 266-A in relation to Article 266-B of the RPC as amended by RA No. 8353. In Crim. Case No. 11-0400, AAA was 15 years old when the rape occurred while in Crim. Case No. 11-0540, she was below 12 years old. To stress, De Guzman cannot be held liable for qualified rape since the prosecution failed to properly designate in the Informations that De Guzman is actually BBB’s common-law husband (which was proven during the trial) and not AAA’s stepfather. Nevertheless, De Guzman should still suffer the penalty of *reclusion perpetua* for Simple Statutory Rape and Simple Rape.⁵¹ Also, the awards for damages should be modified to conform to recent jurisprudence. Thus, the proper amount of civil indemnity, moral damages, and exemplary damages should all be increased to PhP 75,000.00 each for both offenses.⁵² Furthermore, the monetary awards should be subject to the interest rate of six percent (6%) per *annum* from the finality of the Decision until fully paid.⁵³

WHEREFORE, the instant appeal is **DISMISSED**. The assailed May 26, 2015 Decision of the Court of Appeals in CA-G.R. CR-HC No. 06680 is **AFFIRMED with MODIFICATIONS** in that accused-appellant Romeo De Castro De Guzman is found **GUILTY** beyond reasonable doubt of Simple Statutory Rape in Crim. Case No. 11-0540 and Simple Rape in Crim. Case No. 11-0400 and is thus sentenced to suffer the penalty of *reclusion perpetua* for each offense. Moreover, the awards for civil indemnity, moral damages, and exemplary damages shall be increased to PhP 75,000.00 each for every offense. Lastly, all amounts due shall earn legal interest of six percent (6%) per *annum* from the date of the finality of this Decision until full payment.

SO ORDERED.

⁴⁹ *People v. Salaver*, supra note 42, citing *People v. Dalipe*, 633 Phil. 428, 448 (2010).

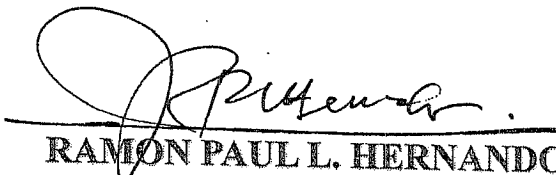
⁵⁰ *People v. Traigo*, supra note 47.

⁵¹ *People v. Tulagan*, G.R. No. 227363, March 12, 2019.

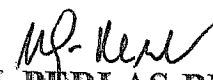
⁵² *People v. Jugueta*, 783 Phil. 806, 849 (2016).

⁵³ *People v. Roy*, G.R. No. 225604, July 23, 2018, citing *Nacar v. Gallery Frames*, 716 Phil. 267, 283 (2013).


SO ORDERED.

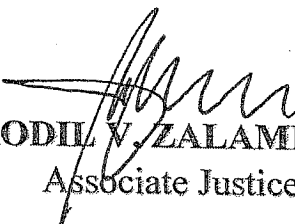

RAMON PAUL L. HERNANDO
Associate Justice

WE CONCUR:


ESTELA M. PERLAS-BERNABE
Associate Justice
Chairperson

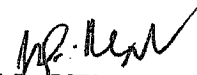

ANDRES B. REYES, JR.
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice


RODIL V. ZALAMEDA
Associate Justice


ATTESTATION

I attest 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.

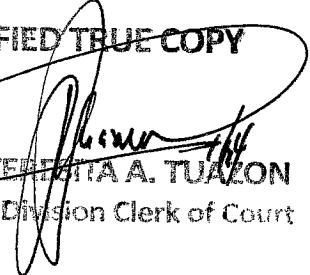

ESTELA M. PERLAS-BERNABE
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, and the Division Chairperson's Attestation, I hereby 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.


DIOSDADO M. PERALTA
Chief Justice

CERTIFIED TRUE COPY


ATTY. TERESITA A. TUAZON
Deputy Division Clerk of Court