



Republic of the Philippines
Supreme Court
 Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
 Plaintiff-Appellee,

G.R. No. 210435

Present:

CARPIO, J.,
Chairperson,
 PERLAS-BERNABE,
 CAGUIOA,
 A. REYES, JR., and
 J. REYES, JR. JJ.

- versus -

SONNY RAMOS y BUENAFLOR,
 Accused-Appellant.

Promulgated:

15 AUG 2018

HM Cabalag Perfecto

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DECISION

REYES, JR., J.:

Carnal knowledge of a woman against her will, effected through force and intimidation is rape. Notably, the absence of contusions and abrasions in the woman's body does not negate rape. Neither will the victim's failure to flee and scream imply consent to the bestial act. Likewise, the victim cannot be expected to act rationally after suffering from a traumatic and harrowing ordeal. As such, the victim's decision to suffer in silence should not render her testimony suspect and unworthy of credence. Finally, the assailant's claim that the victim is his lover will not lie in the absence of compelling proof of such purported amorous relationship.

This treats of the Notice of Appeal¹ filed by herein accused-appellant Sonny Ramos (Ramos), seeking the reversal of the Decision² dated April 12, 2013, rendered by the Court of Appeals (CA) in CA-G.R. CR-HC No.

¹ CA rollo, pp. 143-144.

² Penned by Associate Justice Ricardo R. Rosario, with Associate Justices Ramon M. Bato, Jr. and Leoncia Real-Dimagiba, concurring; rollo, pp. 2-19.

Reyes

05141, which affirmed the trial court's ruling convicting him of the crime of Rape under Article 266-A, paragraph 1(a) of the Revised Penal Code (RPC), as amended.

The Antecedents

An Information for Rape was filed against Ramos. The accusatory portion of the said Information reads:

That on or about the 27th day of December 2007, [in the] Province of Benguet, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, did then and there willfully, unlawfully and feloniously by means of force and intimidation, have carnal knowledge with [AAA],³ against her will and consent, to her great damage, prejudice and mental anguish.

CONTRARY TO LAW.⁴

Upon arraignment, Ramos pleaded not guilty. Trial ensued thereafter.

Evidence for the Prosecution

Ramos and AAA were employees of a hotel located in Baguio City.⁵ They resided at the hotel compound, where the male and female employees stayed at separate quarters.

At around 1:00 p.m. of December 27, 2007, AAA went to the hotel recreation room to watch television. However, on her way to the recreation room, she saw Ramos take the television remote control from the office. AAA decided not to proceed in order to avoid Ramos. Instead, she went to a near-by store with a co-employee. After which, AAA visited her older sister, BBB, at the latter's house, which was also located within the hotel compound. AAA returned to the quarters at around 6:00 p.m.⁶

Upon arriving at the quarters, AAA saw Ramos leave the recreation room. She took her diary, notebook, and the television remote control from the office and then went to the recreation room. The room was empty when she entered.⁷

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 CA rollo, p. 14.

⁵ Id. at 15.

⁶ Id. at 15-16.

⁷ Id. at 16.

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While AAA was at the recreation room, she heard someone knock at the door. When she opened it, she saw Ramos. He told her that he wanted to watch television with her. Hearing this, she went to the table to collect her things and leave. Suddenly, Ramos pulled her hand and forced her to sit on the sofa where he was seated. AAA pushed Ramos and tried to leave. However, Ramos stood in front of her, and blocked her way. Then, Ramos carried her to the bed and placed himself on top of her. AAA fought back, but Ramos held her hand. Ramos unhooked the strap of her bra with his left hand. All the while, AAA kept struggling and fighting back. Thereafter, Ramos unzipped AAA's pants and pulled her pants and underwear down to her knees. He tried to kiss her, but she continued to struggle against Ramos until she lost all her strength. She felt terrified and frightened and did not know what to do. All the time, she struggled and fought with Ramos, using her hands and legs, but Ramos pinned her down. Ramos placed himself on top of her and inserted his organ inside her vagina. His organ was inside her vagina for only a short while as AAA was able to gain her strength back and push him away. Ramos got up and went to the bathroom. Taking this as a chance to escape, AAA pulled up her underwear and pants, took her things and rushed out of the recreation room.⁸

Thereafter, AAA left the barracks and went out to see her friend CCC, a cook at the hotel. At that time, CCC was talking to DDD, a bellboy at the same hotel. She told them that Ramos raped her. CCC and DDD advised her to report the matter to her brother-in-law, EEE. Heeding their advice, AAA texted her brother-in-law and told him about what had happened.⁹

On the same evening, AAA was called to the office of the hotel owner. She reported the rape incident. Shortly thereafter, AAA's brother arrived with police officers. Ramos was called out from the laundry room and was taken to the police station.¹⁰

On December 28, 2007, Dr. Fe Tangonan-Sanchez (Dr. Sanchez), an Obstetrics-gynecologist resident at the Baguio General Hospital examined AAA. Dr. Sanchez noted that AAA's hymen bore lacerations at the 3, 6 and 11 o'clock positions. She explained that the lacerations may have been caused by a blunt object like a penis, and that the injury was inflicted within 24 hours, considering that she likewise found punctuate hemorrhages (blood clots), within AAA's genitalia. These injuries are usually seen within 24 hours from the time of the injury.¹¹

⁸ Id. at 16-17.

⁹ Id. at 17.

¹⁰ Id. at 17-18.

¹¹ Id. at 20.

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During her cross-examination, AAA related that Ramos had also raped her on a previous occasion on August 12, 2007, also at the same recreation room where the rape incident on December 27, 2007 took place.¹²

On the other hand, Ramos vehemently denied the rape charge leveled against him.

Ramos narrated that on December 27, 2007, at around 6:30 p.m., he sent AAA a text message, telling her that he will go to the recreation room. AAA replied “okay.”¹³

Thus, at around 7:00 p.m., he went to the recreation room and knocked at the door, which AAA opened. At that time, AAA was watching television, so he entered and sat on the bed and watched with AAA. AAA was then seated on a chair beside the closet, writing something in her diary. After about 10 minutes, AAA sat close to Ramos on the bed. AAA laid down on the bed and they started to caress each other (“*nag-lambing-lambingan*”).¹⁴ AAA voluntarily removed her clothes.¹⁵ During the entire time, AAA never resisted, cried or shouted.

Ramos further related that while he and AAA were in the room, AAA asked him if he really loved her. He told her that he did, but that he is not yet serious about marrying her. AAA asked him why, to which Ramos admitted that he was in love with someone else. Allegedly, this angered AAA, and led to a quarrel. In her anger, AAA purportedly threatened him by saying, “*after you’ve taken everything you will just leave it at that? You have no idea what I am capable of.*”¹⁶ Ramos left the recreation room.¹⁷

Thereafter, at around 8:00 p.m., while Ramos was at the men’s barracks, AAA’s brother-in-law confronted Ramos about the rape incident. Then at around 9:00 p.m., Ramos was arrested by the police officers.¹⁸

During his testimony in open court, Ramos related that there have been instances in the past when he and AAA were alone. In fact, he claimed that he and AAA had sexual intercourse for the first time on August 3, 2007, and again engaged in a sexual tryst on August 12, 2007, both times at the same recreation room.¹⁹

¹² Id. at 21-22.

¹³ Id. at 21.

¹⁴ Id.

¹⁵ Id. at 22.

¹⁶ Id.

¹⁷ Id.

¹⁸ Id. at 22-23.

¹⁹ Id. at 21-22.

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Ruling of the Regional Trial Court

On July 5, 2011, the Regional Trial Court (RTC) rendered a Decision²⁰ finding Ramos guilty beyond reasonable doubt of the crime of rape. The RTC was convinced of the truthfulness of the charge, considering that AAA clearly described on the witness stand how Ramos raped her. Likewise, the RTC observed that AAA's actuations after she was raped strengthened her credibility. The RTC noted the fact that AAA immediately reported the incident to her friends, to her family, the owner of the hotel, and then to the police, which are all indicia of the truth and veracity of her claim. Moreover, the RTC refused to give credence to the sweetheart defense raised by Ramos, as his claim was uncorroborated by any evidence that could have proved the relationship. Also, the RTC rejected Ramos' contention that AAA merely concocted the rape charge out of revenge. The trial court keenly observed that AAA's character and demeanor during the trial revealed that she was not the type of woman who could concoct a rape charge out of sheer spite.²¹

The dispositive portion of the RTC decision reads:

WHEREFORE, [Ramos] is hereby found guilty beyond reasonable doubt of the crime of rape and is hereby imposed the penalty of "*reclusion perpetua*" with all the accessory penalties thereto attached.

[Ramos] is hereby adjudged to pay the private complainant the amount of Fifty Thousand Pesos (Php 50,000.00) as civil indemnity *ex delicto* and another Fifty Thousand Pesos (Php 50,000.00) as moral damages. He shall likewise pay the costs.

SO ORDERED.²²

Aggrieved, Ramos filed an appeal before the CA.

Ruling of the CA

On April 12, 2013, the CA rendered a Decision²³ affirming the conviction meted by the RTC on Ramos. The CA noted that considering that Ramos admitted that he had sexual intercourse with AAA, the only element left to be proven is whether the act was committed against the latter's will, through force or intimidation. In this regard, the CA observed that AAA candidly and truthfully narrated how Ramos forced his way by overpowering her. The absence of any sustained injuries from the struggle will not negate the fact that AAA was overpowered to succumb to Ramos'

²⁰ Rendered by Judge Danilo P. Camacho; id. at 14-39.

²¹ Id. at 30-34.

²² Id. at 39.

²³ Id. at 124-141.

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bestial desires. Neither did the CA agree with Ramos' argument that AAA's conduct belied that of a typical rape victim's. The CA noted that AAA sufficiently explained her reason for staying and not filing a complaint against Ramos after the first rape incident in August 2007.²⁴ Moreover, the CA refused to accept Ramos' defense that he and AAA were sweethearts, ratiocinating that the purported romantic relations between Ramos and AAA are nothing but a figment of the former's imagination.

The dispositive portion of the assailed CA decision reads:

WHEREFORE, premises considered, the appeal is **DISMISSED**. The Decision of the [RTC] of La Trinidad, Benguet, Branch 62 in Criminal Case No. 08-CR-7211 finding [Ramos] guilty beyond reasonable doubt of the crime of rape and sentencing him to a penalty of *reclusion perpetua* and to pay the offended party the sum of fifty thousand pesos (P 50,000) as civil indemnity *ex delicto* and another fifty thousand pesos (P50,000.00) as moral damages, and to pay the costs, is **AFFIRMED**.

SO ORDERED.²⁵

Dissatisfied with the ruling, Ramos filed a Notice of Appeal²⁶ dated April 24, 2013, under Rule 124 of the 2000 Rules of Criminal Procedure.

The Issue

The essential issue for the Court's resolution is whether or not Ramos is guilty beyond reasonable doubt of the crime of Rape.

Seeking the reversal of the assailed CA decision, Ramos asserts that the prosecution failed to prove his guilt beyond reasonable doubt. He claims AAA's testimony was riddled with improbabilities.²⁷ Ramos points out that AAA's demeanor was inconsistent with a rape victim. Apparently, although AAA claimed that he had raped her in an earlier occasion on August 12, 2007, she still talked to him and responded whenever he talked to her. She never reported the incident or shouted invectives at him. Likewise, anent the rape incident on December 27, 2007, Ramos questions why AAA did not scream for help, or run while he was purportedly raping her. Further, AAA's description of the rape incident was questionable. Also, AAA had no physical injuries to prove the fact of struggle with Ramos.²⁸

²⁴ Id. at 129-135.

²⁵ Id. at 140.

²⁶ Id. at 143-144.

²⁷ Id. at 50.

²⁸ Id. at 55-59.

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In his defense, Ramos stresses that he and AAA had consensual sexual intercourse, as they were lovers. He claims that the trial court did not allow him to present his SIM card, which contained text messages exchanged between him and AAA. This key piece of evidence would have proven his relationship with AAA. Finally, he claims that after the purported rape incident, he simply proceeded to the barracks, and even reported to the office of the hotel owner, when called. The fact that he did not flee is proof of his innocence.²⁹

On the other hand, the People, through the Office of the Solicitor General (OSG), maintains that the prosecution proved the guilt of Ramos beyond reasonable doubt. The OSG points out that Ramos himself admitted having sexual intercourse with AAA on December 27, 2007, albeit claiming that the same act was consensual.³⁰ However, Ramos failed to show proof of his alleged romantic relationship with AAA. Even assuming that Ramos and AAA were lovers, this did not serve as a justification for Ramos to force himself upon AAA. Likewise, the OSG counters that there is nothing questionable about AAA's demeanor. AAA offered a sufficient explanation for not reporting the first rape incident.³¹

Ruling of the Court

The instant appeal is bereft of merit.

***The Prosecution Established
Beyond Reasonable Doubt that
Ramos is Guilty of Rape***

Article 266-A of the RPC, as amended by Republic Act (R.A.) No. 8353,³² 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[.]

²⁹ Id. at 59-60.

³⁰ Id. at 107-108.

³¹ Id. at 113-114.

³² *The Anti-Rape Law of 1997*

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In view of the horrendous nature of rape as an affront to one's dignity and chastity, the law imposes a penalty of *reclusion perpetua* against the offender.³³

Essentially, 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.³⁴

In the case at bar, the prosecution sufficiently established beyond reasonable doubt that Ramos had carnal knowledge with AAA on December 27, 2007, through force and intimidation by pushing and pinning her down, and inserting his penis into her vagina, against her will and without her consent.

The linchpin of AAA's testimony was that Ramos had sexual intercourse with her, despite her struggles and protestations. Her narration revealed the continuous struggle that she put up, and how Ramos overpowered her in consummating his bestial desires. On this matter, AAA 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.³⁵ This ruling exactly mirrors AAA's testimony.

The Absence of Abrasions and Contusions in AAA's Body, or her Failure to Scream and Flee Do Not Prove Consent to the Sexual Act

Ramos avers that AAA's claim that she struggled against his advances is belied by the absence of any physical injuries on her body.

This contention does not hold water.

³³ REVISED PENAL CODE, Art. 266-B, as amended by *R.A. No. 8353*.

³⁴ *People v. Esteban*, 735 Phil. 663, 670 (2014). (Emphasis Ours)

³⁵ *People v. Baraol*, 690 Phil. 368, 375 (2012); *People v. Magayon*, 640 Phil. 121, 136 (2010); *People v. Corpuz*, 517 Phil. 622, 632-633 (2006).

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It must be noted that the absence of bodily injury does not negate the commission of rape.³⁶ As the Court emphasized in the case of *People v. Zafra*,³⁷ the “absence of external signs of physical injuries does not negate rape.”³⁸ Neither does it make the victim a willing partner in the sexual intercourse.

Needless to say, it is a well-settled rule that “the force used in the commission of rape need not be overpowering or absolutely irresistible.”³⁹ “A rape victim has no burden to prove that she did all within her power to resist the force or intimidation employed upon her.”⁴⁰ Resistance is not an element of rape.⁴¹ What is essential is simply that the force employed was sufficient to enable the offender to consummate the lewd purpose which he had in mind.⁴² In the instant case, there is no question that Ramos succeeded in his brutish objective.

Moreover, the trial court noted the relative size of AAA as against Ramos, and observed that AAA was “frail and petite,” while Ramos was “heavier by far in buil[t].”⁴³ This lends credence to AAA’s testimony that Ramos easily succeeded in pinning her down, against her persistent struggling.

Furthermore, AAA’s failure to scream does not in any way disprove the commission of rape. The failure of the victim to run, shout or seek help does not negate rape,⁴⁴ and neither does her lack of resistance imply that she consented to the sexual act, especially when she was intimidated into submission by the perpetrator.⁴⁵ In fact, AAA persistently struggled against Ramos’ advances, all the while constantly pushing him away until her strength finally gave out. Furthermore, AAA immediately escaped at the first opportunity she could, and forthwith reported the matter.

AAA’s Conduct Before and After the Rape Did Not Detract from her Credibility, But Even Bolstered the Veracity of her Claim

³⁶ *People v. Cabangon*, 702 Phil. 177, 187-188 (2013).

³⁷ 712 Phil. 559 (2013).

³⁸ *Id.* at 573.

³⁹ *People v. Barangan*, 560 Phil. 811, 836 (2007), citing *People v. Villaflores*, G.R. No. 66039, 8 June 1989, 174 SCRA 70, 70-71.

⁴⁰ *People v. Japson*, 743 Phil. 495, 503-504 (2014), citing *People v. Rivera*, 717 Phil. 380, 395 (2013).

⁴¹ *People v. Japson*, *id.*, citing *People v. Durano*, 548 Phil. 383, 397 (2007).

⁴² *People v. Barangan*, *supra* note 39.

⁴³ CA rollo, p. 34.

⁴⁴ *People v. Paras*, 735 Phil. 193, 202 (2014), citing *Sison v. People*, 682 Phil. 608, 625 (2012).

⁴⁵ *People v. Pareja*, 724 Phil. 759, 778 (2014), citing *People v. Saludo*, 662 Phil. 738, 750 (2011).

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In a bid to exonerate himself from the charge, Ramos alleges that AAA's conduct renders her testimony suspect. Particularly, Ramos points out that if AAA had indeed been raped on a prior occasion, then why did she not report the matter, and worse, even continue to work at the hotel with him.

Indeed, the conduct of the victim immediately following the alleged sexual assault is of utmost importance as it tends to establish the truth or falsity of the charge. However, it is not accurate to say that there is a typical reaction or norm of behavior among rape victims.⁴⁶ The workings of the human mind when placed under emotional stress is unpredictable.⁴⁷ Some victims may shout, some may faint, while others may be shocked into insensibility. Not every victim can be expected to act with reason or conformably with the usual expectation of mankind.⁴⁸ Certainly, it is unfair to expect and demand a rational reaction or a standard behavioral response from AAA, who was confronted with such startling and traumatic experience.

Besides, AAA adequately explained why she did not report the matter and still continued working at Ever Lodge, despite Ramos' harassment. Her failure to report the matter was borne out of fear due to Ramos' threat to kill her should she relate the matter to anyone. Ramos also promised that he would never repeat the same offense. When AAA was prodded as to why she was easily cajoled into believing Ramos' promise that he would not harass her again, she defeatedly admitted that it was a fate she had no choice but to accept, saying that: "x x x if I will file a complaint, my life will be turned upside down; that even if I will report the incident, I could not turn things back for myself that I am already destroyed and that things will worsened [sic]."⁴⁹ While saying this, the RTC noted the anguish, and defeat in AAA's voice.⁵⁰ Moreover, AAA openly admitted in court that she decided to stay until after December, so she could receive her salary, and bonus, and earn money for coming home, and for her education.⁵¹ AAA should not be judged for her choice to stay. She had to forego her own trauma in order to earn a living. This difficult choice that she made should not be taken against her.

It must likewise be noted that AAA avoided Ramos at all costs while she was at the hotel. The records show that she immediately left when she saw that Ramos was on his way to the recreation room. She only went back after ensuring that Ramos had left, and upon seeing that the recreation room was empty. As a matter of fact, when Ramos suddenly entered the recreation room, she immediately gathered her things and proceeded to

⁴⁶ *People v. Zafra*, supra note 37, at 572, citing *People v. Saludo*, id. at 758-759.

⁴⁷ *People v. Paras*, supra note 44, at 202, citing *Sison v. People*, supra note 44, at 625.

⁴⁸ *People v. Zafra*, supra note 37, at 572, citing *People v. Saludo*, supra note 45, at 758-759.

⁴⁹ CA rollo, p. 135.

⁵⁰ Id. at 31.

⁵¹ Id. at 38.

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leave. Her attempt to flee however proved futile as Ramos blocked her way and pushed her.⁵² Added to this, AAA immediately reported the rape incident after its occurrence. All these circumstances serve to bolster AAA's credibility.

Accordingly, the Court agrees with the trial court's assessment of AAA's credibility. 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 courts give great weight to the trial court's findings, considering that it had the full opportunity to observe directly AAA's demeanor, conduct and manner of testifying.⁵³

Ramos' Defense that He and AAA were Lovers Fails in the Absence of Competent and Convincing Evidence of the Purported Romantic Relationship

In another bid to prove his innocence, Ramos claims that he and AAA were lovers, and as such, their sexual intercourse was consensual.

The Court is not persuaded.

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.⁵⁴ Similarly, evidence of the relationship is required, such as tokens, love letters, mementos, photographs, and the like.⁵⁵

Ramos' utter failure to present any iota of evidence to establish his purported amorous relationship with AAA, clearly renders his claim self-serving and of no probative value. In fact, not a single co-employee came forward to confirm his tale that he and AAA were lovers. Although Ramos explained that this was due to fact that they were the only ones who knew of their relationship, it is hard to believe that no one suspected their relationship, especially considering that they were all living in the same barracks.

⁵² Id. at 135-137.

⁵³ *People v. Bosi*, 689 Phil. 66, 73 (2012).

⁵⁴ *People v. Olesco*, 663 Phil. 15, 24 (2011).

⁵⁵ Id. at 20-21, citing *People v. Baldo*, 599 Phil. 382, 388 (2009).

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Further, Ramos bewails the alleged refusal of the trial court to allow him to present his SIM card, which purportedly contained evidence of text messages exchanged between him and AAA. It is strange why Ramos is suddenly blaming the trial court, when the records reveal that he admitted that he deleted the said messages from his SIM card. Contrary to his claim, the trial court was very much open to admit the presentation of the SIM card, to sift out the truth.⁵⁶ It was actually Ramos' counsel who manifested his inability to present the said evidence, as shown in the Minutes of the Proceedings on December 14, 2010.⁵⁷ Evidently, this claim is nothing but a vain attempt for Ramos to mislead the Court into believing that he was deprived of the chance to present a key piece of evidence.

The Proper Charge and Penalties

The crime of simple rape is penalized under Article 266-B of the RPC, as amended by R.A. No. 8353, with *reclusion perpetua*. Considering that the guilt of Ramos was proven beyond reasonable doubt, the RTC correctly sentenced him with the penalty of *reclusion perpetua*, without eligibility for parole.⁵⁸

In addition, jurisprudence holds that a victim of rape shall be entitled to an award of civil indemnity, moral damages and exemplary damages. Significantly, 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.”⁵⁹ 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. Although the RTC awarded AAA civil indemnity of Php 50,000.00, the same amount must be increased to Php 75,000.00 to conform with current jurisprudence.⁶⁰

In the same vein, the award by the RTC of Php 50,000.00 of moral damages in favor of AAA must also be increased to Php 75,000.00.⁶¹ 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.⁶² This serves as a means of compensating the victim for the manifold injuries such as “physical suffering, mental anguish, serious anxiety, besmirched reputation,

⁵⁶ CA rollo, p. 138.

⁵⁷ Id. at 140.

⁵⁸ REVISED PENAL CODE, Article 266-B. *Penalty*. - Rape under paragraph 1 of the next preceding article shall be punished by *reclusion perpetua*.

⁵⁹ REVISED PENAL CODE, Article 100.

⁶⁰ *People v. Jugueta*, 783 Phil. 806, 827 (2016).

⁶¹ Id. at 839.

⁶² *People of the Philippines v. Rommel Ronquillo*, G.R. No. 214762, September 20, 2017, citing *People v. Delabajan*, 685 Phil. 236, 245 (2012).

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wounded feelings, and social humiliation” that she suffered in the hands of her defiler.⁶³

Furthermore, an award of exemplary damages must be granted to AAA in the amount of Php 75,000.00.⁶⁴ The importance of awarding 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.⁶⁵

Additionally, the payment of costs imposed on Ramos by the CA is likewise affirmed. Finally, all amounts due shall earn legal interest of six (6%) *per annum* from the date of the finality of this Decision until full payment.

WHEREFORE, premises considered, the instant appeal is hereby **DISMISSED for lack of merit**. Accordingly, the Decision dated April 12, 2013 of the Court of Appeals, in CA-G.R. CR-HC No. 05141, is **AFFIRMED with modification**. Accused-appellant Sonny Ramos y Buenaflor is held guilty of Rape, and is hereby sentenced to *reclusion perpetua* without eligibility for parole, and is ordered to pay the victim AAA in addition to the costs of the suit, the following amounts, to wit: (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 the finality of this Decision until full payment.

SO ORDERED.

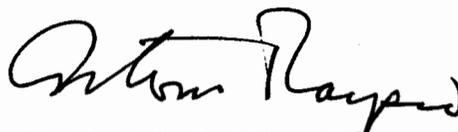

ANDRES B. REYES, JR.
Associate Justice

⁶³ *People of the Philippines v. Rommel Ronquillo*, id.

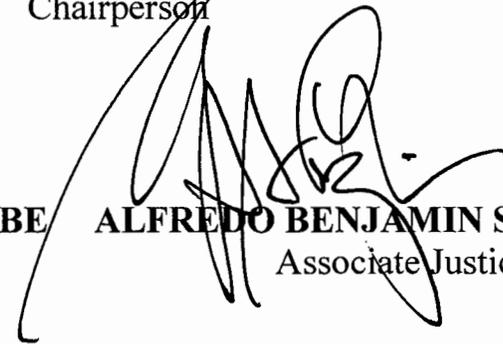
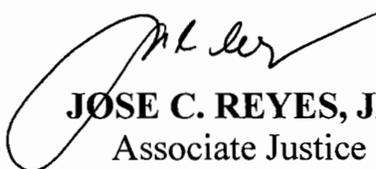
⁶⁴ *People v. Jugueta*, 783 Phil. 806, 829 (2016).

⁶⁵ *People of the Philippines v. Rommel Ronquillo*, supra note 62.

WE CONCUR:



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson


ESTELA M. PERLAS-BERNABE
Associate Justice
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
JOSE C. REYES, JR.
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, 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 T. CARPIO
Senior Associate Justice
(Per Section 12, R.A. No. 296
The Judiciary Act of 1948,
as amended)

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