



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **03 February 2021** which reads as follows:*

“G.R. No. 251582 (*People of the Philippines v. Ronald “Toto” Aljas y Lopez*). – The Court **NOTES** the Office of the Solicitor General’s Manifestation and Motion¹ dated December 17, 2020 in compliance with the Resolution dated July 13, 2020, adopting its brief filed before the Court of Appeals as supplemental brief in this case considering that the same had exhaustively and extensively discussed the issues in the case.

We affirm.

AAA² recounted in detail how accused-appellant Ronald “Toto” Aljas y Lopez (accused-appellant) sexually violated her on February 3, 2015. She agreed to meet privately with him after being convinced, *nay*, fooled that he had a medicine for her family’s protection against all kinds of disease. But accused-appellant drove her to a motel. She innocently went inside the motel room believing that accused-appellant would give her the medicine there. He first took a bath and when he came out from the bathroom, he only had a towel around his waist. He told her that he would get the “sacred element” from her vagina to be mixed with the medicine.³ He insisted they should have sex.⁴ She

¹ *Rollo*, pp. 27-28.

² 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 Phi 703 (2006)] and Amended Administrative Circular No. 83-2015 dated September 5, 2017.

³ *Record*, p. 49.

⁴ *Rollo*, p. 6.

got scared so she ran toward the door to escape. He, however, took a gun from his bag, commanded her not to open the door, and keep silent.⁵ He pulled her to the bed, took off the towel around his waist, and removed her blouse, bra, and panty.⁶ She uttered “no, uncle” to which he answered, “it will just be quick.” He then touched her breast, kissed her lips, and inserted his penis in her vagina which caused her pain. After satisfying his lust, he wiped her vagina with a cotton and said it was the ingredient for the medicine.⁷ He dropped her off at a park as if nothing happened.

Both the trial court and the Court of Appeals found AAA’s testimony to be categorical, straightforward, and credible. Hence, even standing alone, her testimony is sufficient to support a verdict of conviction.⁸ As it was though, her testimony does not stand alone. It was firmly corroborated by the physical evidence on record. Dr. Akila Aliman-Banto reported that she found healed hymenal lacerations at 2, 4, and 8 o’clock positions in AAA’s private part. Hymenal lacerations, *whether healed or fresh*, are the best evidence of forcible defloration.⁹ Indeed, the credible testimony of a rape victim assumes more significance and weight when it conforms with the physical evidence as in this case.

Accused-appellant, nonetheless, faults AAA’s testimony because she did not even shout for help or at least offer any resistance in defense of herself.

The Court has invariably ruled that rape victims react differently.¹⁰ There is no uniform behavior that can be expected from those who had the misfortune of being sexually molested. Some may shout, some may faint, some chose to keep their ordeal, and some may be shocked into insensibility. None of these, however, impair the credibility of a rape victim. Let alone, negate the commission of rape.¹¹

Here, accused-appellant cowered AAA into fear when he took out his gun for her to see and commanded her to keep silent. She got so afraid that he would indeed shoot and kill her. Hence, her failure to shout or resist his sexual assault cannot be construed at all as a manifestation of her consent.¹²

Next, accused-appellant harps on AAA’s supposed delay in reporting the alleged rape to her mother and the police.

⁵ Record, p. 49.

⁶ *Id.* at 50.

⁷ *Id.*

⁸ *People v. Suedad*, 785 Phil. 803, 814 (2016).

⁹ *Id.*

¹⁰ *People v. XXX*, G.R. No. 230904, January 8, 2020; *People v. XXX*, G.R. No. 244288, March 4, 2020; *People v. Aburientos*, G.R. No. 243580, November 13, 2019.

¹¹ *People v. Pareja*, 724 Phil. 759, 778 (2014).

¹² *People v. Baltazar*, 385 Phil. 1023, 1035 (2000).

We are not persuaded. AAA's delay in reporting the rape does not weaken the case against accused-appellant.¹³ Nor can it be construed as an implied consent, let alone, condonation of what accused-appellant did to her.¹⁴ She had been held back in terror not just because of her possible exposure to public disgrace but foremost, for fear of reprisal from accused-appellant. This fear crippled her and forced her into silence.¹⁵ Notably, accused-appellant himself has not imputed any ulterior motive which could have impelled AAA to falsely accuse him of such heinous crime as rape. Besides, no rape victim would concoct a sordid tale on her own, undergo an invasive medical examination, and subject herself to the stigma and embarrassment of a public trial, if her motive was other than a fervent desire to seek justice.¹⁶

Finally, accused-appellant's alibi cannot prevail over AAA's positive and unwavering identification of him as the one who sexually ravished her.¹⁷

All told, the Court of Appeals did not err in affirming accused-appellant's conviction for Simple Rape and imposing on him *reclusion perpetua* in accordance with Article 266-A, in relation to 266-B of the Revised Penal Code, as amended.

Consistent with prevailing jurisprudence,¹⁸ we sustain the award of a) ₱75,000.00 as civil indemnity; b) ₱75,000.00 as moral damages; and c) ₱75,000.00 as exemplary damages. These amounts shall earn six percent (6%) interest *per annum* from finality of this Resolution until fully paid.

WHEREFORE, the appeal is **DISMISSED** and the Court of Appeals' Decision in CA-G.R. CR-HC No. 01871-MIN dated September 26, 2019, **AFFIRMED**. Appellant **Ronald "Toto" Aljas y Lopez** is found **GUILTY** of **SIMPLE RAPE**. He is sentenced to *reclusion perpetua* and ordered to **PAY AAA ₱75,000.00** as civil indemnity; **₱75,000.00** as moral damages; and **₱75,000.00** as exemplary damages. These amounts shall earn six percent (6%) interest *per annum* from finality of this Resolution until fully paid.

SO ORDERED."

¹³ *People v. Velasco*, 722 Phil. 243, 255 (2013).

¹⁴ *People v. Salazar*, 327 Phil. 663, 670 (1996).

¹⁵ *People v. Abarientos*, G.R. No. 243580, November 13, 2019.

¹⁶ *People v. Tulagan*, G.R. No. 227363, March 12, 2019.

¹⁷ *People v. Vitero*, 708 Phil. 49, 63 (2013).

¹⁸ *People v. Jugueta*, 783 Phil. 806, 849 (2016).

By authority of the Court:

TERESITA AQUINO TUAZON
Division Clerk of Court

By:


MA. CONSOLACION GAMINDE-CRUZADA
Deputy Division Clerk of Court *by s/l*
02 MAR 2021

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