



Republic of the Philippines  
Supreme Court  
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,  
Plaintiff-appellee,

G.R. No. 212161

Present:

-versus-

CARPIO, J., Chairperson,  
PERALTA,  
MENDOZA,\*  
LEONEN, and  
MARTIRES, JJ.

JUANITO ENTRAMPAS,  
Accused-appellant.

Promulgated:

29 MAR 2017

X-----*Handwritten signature*-----X

DECISION

LEONEN, J.:

This is a tragic story resulting from an act of depravity: an 11-year old girl gave birth to a child after she was repeatedly raped by the common-law husband of her biological mother.

This is an appeal from a conviction for two (2) counts of statutory rape.

We emphatically affirm the conviction.

The setting of this case is in a rural sitio of Barangay Bawod, San Isidro, Leyte.<sup>1</sup> It is far from the urban centers where courts sit, but it is a place where the writs shaped by the rule of law can still provide succor.

\* On official leave.

<sup>1</sup> Rollo, p. 7, Court of Appeals Decision.

Accused-appellant Juanito Entrampas (Entrampas) and BBB were common-law spouses.<sup>2</sup> They co-habited for eight (8) years, from 1995 to 2003. AAA, BBB's daughter from a previous relationship, lived with them.<sup>3</sup> She looked up to Entrampas as her adoptive father.

Entrampas, then 50 years old,<sup>4</sup> was a farmer who tilled a rice field half a kilometer away from their home.<sup>5</sup> BBB collected shrimps and shells for a living,<sup>6</sup> and would usually be at sea or by the beach from 4:00 p.m. to 7:00 p.m.<sup>7</sup> AAA was still in elementary school.<sup>8</sup>

Sometime in February 2003, at about 5:00 p.m., AAA arrived from school to cook for her family. She was interrupted by Entrampas and was asked to go to the room upstairs.<sup>9</sup> The 11-year old girl obeyed.<sup>10</sup>

“Once in the room, [Entrampas] forced AAA to lie down on the floor[.]”<sup>11</sup> She was warned by accused-appellant that if she shouted he would kill her. She was also warned that if she told her mother about what he was about to do, he would kill them.<sup>12</sup>

Entrampas took off the child's panty, undressed himself, and inserted his penis into her vagina. AAA felt pain as he penetrated her. Her vagina bled. She cried and pleaded him to stop.<sup>13</sup>

As he consummated the act, she noticed a knife on the wall within his reach. She became more fearful. After satisfying himself, he again warned the child that he would kill her and her mother if she informed anyone about the incident.<sup>14</sup>

She was left in the room sobbing.<sup>15</sup>

That evening, after arriving from the sea shore, BBB asked AAA why she was crying. Fearful of Entrampas' threats, AAA did not tell her

---

<sup>2</sup> Id.  
<sup>3</sup> Id.  
<sup>4</sup> *CA rollo*, p. 39.  
<sup>5</sup> *Rollo*, p. 7.  
<sup>6</sup> Id.  
<sup>7</sup> *CA rollo*, p. 36.  
<sup>8</sup> *Rollo*, p. 7.  
<sup>9</sup> *CA rollo*, p. 36.  
<sup>10</sup> *Rollo*, p. 7.  
<sup>11</sup> Id.  
<sup>12</sup> Id.  
<sup>13</sup> Id.  
<sup>14</sup> Id.  
<sup>15</sup> Id.

*l*

mother.<sup>16</sup>

The incident occurred again a week later in February 2003.<sup>17</sup> Entrampas told AAA to lie down, penetrated her vagina, and then left her.<sup>18</sup> AAA stayed in the room upstairs, crying, until her mother came home at 10:00 p.m.<sup>19</sup>

Over the following months, Entrampas repeatedly raped AAA, who, out of fear, remained silent.<sup>20</sup>

In July 2003, BBB observed some changes in her daughter's body.<sup>21</sup> AAA's breasts had swollen, she had lost her appetite, and she was always sleeping.<sup>22</sup> By September 2003, AAA's belly had become noticeably bigger.<sup>23</sup> She was brought to the dispensary where her urine test was submitted for analysis.<sup>24</sup> AAA's pregnancy test yielded positive.<sup>25</sup>

Fearing for her life, AAA refused to reveal the identity of the father of her child.<sup>26</sup> Neighbors suspected that Entrampas got her pregnant. BBB asked Entrampas, who, according to BBB, admitted that he was the father of AAA's child.<sup>27</sup>

On September 8, 2003, Entrampas and BBB went to BBB's brother, CCC, "to confess the crime he had committed against AAA."<sup>28</sup> Entrampas allegedly felt remorseful and told CCC to kill him to avenge AAA. CCC immediately reported the matter to the police.<sup>29</sup>

On November 3, 2003, AAA gave birth to a baby boy at the North Western Leyte District Hospital of Calubian, Leyte.<sup>30</sup>

Before the Regional Trial Court, Entrampas was charged with two (2) counts of qualified rape under the Revised Penal Code, as amended by Republic Act No. 8353 (Anti-Rape Law of 1997).<sup>31</sup> Two (2) separate

---

<sup>16</sup> Id.

<sup>17</sup> Id. at 8.

<sup>18</sup> CA rollo, pp. 36-37.

<sup>19</sup> Id.

<sup>20</sup> Rollo, p. 8.

<sup>21</sup> Id.

<sup>22</sup> Id.

<sup>23</sup> Id.

<sup>24</sup> CA rollo, p. 37.

<sup>25</sup> Rollo, p. 8.

<sup>26</sup> Id.

<sup>27</sup> Id.

<sup>28</sup> Id.

<sup>29</sup> Id.

<sup>30</sup> Id.

<sup>31</sup> CA rollo, p. 33.

informations were filed against him:

CRIMINAL CASE NO. CN-04-457

That sometime in the afternoon of February, 2003, in the Municipality of San Isidro, Province of Leyte, Philippines, and within the jurisdiction of this Honorable Court, the accused, actuated by lust, did, then and there, willfully, unlawfully and feloniously, through threat and intimidation, succeed in having carnal knowledge of [AAA], who was eleven (11) years old and the daughter of his common-law wife, without her consent and against her will.

CRIMINAL CASE NO. CN-04-458

That sometime in the evening of February, 2003, in the Municipality of San Isidro, Province of Leyte, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, actuated by lust, did, then and there, willfully, unlawfully and feloniously, through threat and intimidation, succeed in having carnal knowledge of [AAA], who was eleven (11) years old and the daughter of his common-law wife, without her consent and against her will.

CONTRARY TO LAW with the qualifying circumstances that the victim was under eighteen (18) years of age and the offender is the common-law spouse of the mother of the victim.<sup>32</sup>

Prosecution presented AAA's certificate of live birth, the laboratory report of AAA's pregnancy test, Dr. Robert C. Nicolas's certification dated October 26, 2004, and four (4) witnesses' testimonies.<sup>33</sup>

According to BBB, Entrampas was her live-in partner for eight (8) years.<sup>34</sup> BBB was at sea when the rape happened in February 2003.<sup>35</sup> Entrampas admitted to BBB that he impregnated AAA, and that they came to see CCC, to whom Entrampas also admitted the rape.<sup>36</sup>

The second prosecution witness, AAA, narrated how Entrampas raped her in February 2003, again one (1) week after, and in the succeeding months until she had a baby bump.<sup>37</sup> He gave her ₱10.00 for the first time he raped her.<sup>38</sup> She had her menstruation at 11 years old, while she was in Grade 5, and Entrampas knew this.<sup>39</sup> AAA had no boyfriend as she had no suitors.<sup>40</sup>

---

<sup>32</sup> Id. at 33–34.

<sup>33</sup> Id. at 34–35.

<sup>34</sup> Id. at 35.

<sup>35</sup> Id.

<sup>36</sup> Id.

<sup>37</sup> Id. at 36–37.

<sup>38</sup> Id. at 37.

<sup>39</sup> Id.

<sup>40</sup> Id.

The third prosecution witness, Dr. Danilo Bagaporo (Dr. Bagaporo), verified that he was the Municipal Health Officer of San Isidro, Leyte.<sup>41</sup> On September 10, 2003, he administered AAA's pregnancy test, which yielded a positive result.<sup>42</sup>

The fourth prosecution witness, CCC, held that, on September 8, 2003, he was chopping wood in Sitio Cabgan, Brgy. Biasong, San Isidro, Leyte when Entrampas and BBB visited him.<sup>43</sup> Entrampas confessed the rape to CCC. At about 11:00 a.m. on the same day, CCC reported this to the barangay captain of Bawod, San Isidro. CCC was first referred to the house of the punong tanod, who was then not around. At noon, he proceeded to the police headquarters. The police investigated the incident and then incarcerated Entrampas.<sup>44</sup>

The defense's sole witness was Entrampas himself.<sup>45</sup> Entrampas claimed that he could not have raped AAA as he was often in the rice field.<sup>46</sup> He usually went to the rice field at 5:00 a.m. and headed home at about 5:00 p.m. or 6:00 p.m.<sup>47</sup>

He denied having raped AAA and having visited CCC with BBB.<sup>48</sup> He equally refuted confessing to CCC that he raped AAA and asking for his forgiveness.<sup>49</sup> He also contested the alleged inconsistent statements of AAA regarding the time the first and second rape happened, and whether she was awake or asleep before the sexual molestation.<sup>50</sup>

On December 6, 2008, the Regional Trial Court found the accused guilty beyond reasonable doubt of two (2) counts of statutory rape. The dispositive portion of the Decision<sup>51</sup> reads:

WHEREFORE, judgment is hereby rendered convicting the accused, Juanito Entrampas, in Criminal Cases [sic] Nos. CN-04-457 and CN-04-458, [guilty] beyond reasonable doubt of the crime of statutory rape as charged in the Informations and as defined and penalized in Article 299-A of the Revised Penal Code, and in accordance with Criminal Case No. CN-04-457, this Court is left with no alternative but to impose upon

---

<sup>41</sup> Id.

<sup>42</sup> Id.

<sup>43</sup> Id. at 38.

<sup>44</sup> Id.

<sup>45</sup> Id.

<sup>46</sup> Id. at 39.

<sup>47</sup> Id. at 38. The time stated that he would go to the field was mistakenly reported as 5:00 p.m.

<sup>48</sup> *Rollo*, p. 9.

<sup>49</sup> Id.

<sup>50</sup> Id. at 13-14.

<sup>51</sup> *CA rollo*, pp. 33-44. The Decision was penned by Executive Judge Crescente F. Maraya, Jr. of Branch 11, Regional Trial Court, Calubian, Leyte.

the accused, Juanito Entrampas, the penalty of Reclusion Perpetua with all the accessory penalties provided for by law, and to indemnify the victim, [AAA] the sum of Fifty Thousand (P50,000.00) Pesos, without subsidiary imprisonment in case of insolvency and to pay Ten Thousand (P10,000.00) Pesos, as moral damages, and to pay the cost, and in Criminal Case No. CN-04-458, the accused, Juanito Entrampas, is sentenced to suffer the penalty of Reclusion Perpetua, with all the accessory penalties provided for by law and to indemnify the victim, [AAA], the sum of Fifty Thousand (P50,000.00) Pesos, without subsidiary imprisonment in case of insolvency and to pay Ten Thousand (P10,000.00) Pesos, as moral damages and to pay the cost.

The herein accused, being a detention prisoner, is entitled to a full credit of his preventive imprisonment in the service of his sentence.

**SO ORDERED.**<sup>52</sup> (Emphasis in the original)

In the Decision<sup>53</sup> dated November 6, 2013, the Court of Appeals affirmed the ruling of the Regional Trial Court. It held that the inconsistencies alleged by Entrampas did not “touch upon the commission of the crime nor affect [the minor victim]’s credibility.”<sup>54</sup> The dispositive portion of this Decision reads as follows:

**WHEREFORE**, in view of the foregoing premises, the Decision of the Regional Trial Court, Branch 11 of Calubian, Leyte, in Criminal Case Nos. CN-04-457 and CN-04-458 are hereby **AFFIRMED with the following MODIFICATIONS** that the award of civil indemnity and moral damages in both charges are increased to Php75,000.00 each. Further, accused-appellant is ordered to pay Php30,000.00 as exemplary damages as well as the rate of 6% per annum interest on all the damages awarded to be computed from the date of finality of the judgment until fully paid. No pronouncement as to costs.

**SO ORDERED.**<sup>55</sup> (Emphasis in the original)

On December 2, 2013, Entrampas appealed via a Notice of Appeal<sup>56</sup> before the Court of Appeals, which resolved to give it due course on March 25, 2014.<sup>57</sup>

For resolution is whether accused-appellant Juanito Entrampas is guilty beyond reasonable doubt of two (2) counts of statutory rape.

We affirm the finding of Entrampas’ guilt.

---

<sup>52</sup> Id. at 44.

<sup>53</sup> *Rollo*, pp. 4–19. The Decision was penned by Associate Justice Ramon Paul L. Hernando and concurred in by Associate Justices Carmelita Salandanan-Manahan and Ma. Luisa C. Quijano-Padilla of the Twentieth (20<sup>th</sup>) Division of the Court of Appeals, Cebu City.

<sup>54</sup> Id. at 13–14.

<sup>55</sup> Id. at 18.

<sup>56</sup> Id. at 20–22.

<sup>57</sup> Id. at 23.

The alleged inconsistencies “are collateral and minor matters which do not at all touch upon the commission of the crime nor affect [the minor victim]’s credibility.”<sup>58</sup> AAA’s inability to recall the precise date and time of the rape is immaterial as these are not elements of the crime.<sup>59</sup> Moreover, “rape victims are not expected to cherish in their memories an accurate account of the dates, number of times[,] and manner they were violated.”<sup>60</sup>

Inconsistencies on minor details and collateral matters do not affect the substance, truth, or weight of the victim’s testimonies.<sup>61</sup> “[M]inor inconsistencies may be expected of [a girl] of such tender years . . . who is unaccustomed to a public trial[,]”<sup>62</sup> particularly one where she would recount such a harrowing experience as an assault to her dignity. The inconsistencies and contradictions in AAA’s declarations are quite expected. The victim is a child less than 12 years old and, therefore, more likely to commit errors than teenagers or adults.<sup>63</sup>

Neither do these alleged discrepancies, not being elements of the crime, diminish the credibility of AAA’s declarations. Jurisprudence has consistently given full weight and credence to a child’s testimonies.<sup>64</sup> “Youth and immaturity are badges of truth and sincerity.”<sup>65</sup> “Leeway should be given to witnesses who are minors, especially when they are relating past incidents of abuse.”<sup>66</sup>

AAA, then only 11 years old, had no reason to concoct lies against petitioner. Her declarations are generally coherent and intrinsically believable. In *People v. Dimanawa*:<sup>67</sup>

[R]everence and respect for the elders is deeply rooted in Filipino children and is even recognized by law. Thus, it is against human nature for a . . . girl to fabricate a story that would expose herself, as well as her family, to a lifetime of shame, especially when her charge could mean the death or lifetime imprisonment of her own father.<sup>68</sup> (Citation omitted)

---

<sup>58</sup> Id. at 14.

<sup>59</sup> Id.

<sup>60</sup> *People v. Lor*, 413 Phil. 725, 736 (2001) [Per J. Ynares-Santiago, En Banc], citing *People v. Zaballero*, 340 Phil. 371 (1997) [Per J. Panganiban, Third Division]; citing *People v. Sabellina*, G.R. Nos. 93514, December 1, 1994, 238 SCRA 492 [Per J. Bellosillo, First Division].

<sup>61</sup> *People v. Avanzado, Sr.*, 242 Phil. 163, 169 (1988) [Per J. Melencio-Herrera, Second Division].

<sup>62</sup> Id.

<sup>63</sup> Id.

<sup>64</sup> See *Pielago v. People*, 706 Phil. 460, 468–469 [Per J. Reyes, First Division]; *Campos v. People*, 569 Phil. 658, 671 (2008) [Per J. Ynares-Santiago, Third Division]; *People v. Galigao*, 443 Phil. 246, 260 (2003) [Per J. Ynares-Santiago, En Banc]; *Ricalde v. People*, G.R. No. 211002, January 21, 2015 <<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2015/january2015/211002.pdf>> 8–10 [Per J. Leonen, Second Division].

<sup>65</sup> *People v. Dimanawa*, 628 Phil. 678, 689 (2010) [Per J. Nachura, Third Division].

<sup>66</sup> *People v. Dominguez*, 667 Phil. 105, 119 (2011) [Per J. Sereno (now Chief Justice), Third Division].

<sup>67</sup> *People v. Dimanawa*, 628 Phil. 678 (2010) [Per J. Nachura, Third Division].

<sup>68</sup> Id. at 689.

Her failures to resist the sexual aggression and to immediately report the incident to the authorities or to her mother do not undermine her credibility. The silence of the rape victim does not negate her sexual molestation or make her charge baseless, untrue, or fabricated.<sup>69</sup> A minor “cannot be expected to act like an adult or a mature experienced woman who would have the courage and intelligence to disregard the threat to her life and complain immediately that she had been sexually assaulted.”<sup>70</sup>

Force and intimidation must be appreciated in light of the victim’s perception and judgment when the assailant committed the crime.<sup>71</sup> In rape perpetrated by close kin, such as the common-law spouse of the child’s mother, actual force or intimidation need not be employed.<sup>72</sup>

“While [accused-appellant] was not the biological father of AAA . . . [she] considered him as her father since she was a child.”<sup>73</sup> Moral influence or ascendancy added to the intimidation of AAA. It enhanced the fear that cowed the victim into silence. Accused-appellant’s physical superiority and moral influence depleted AAA’s resolve to stand up against her foster father. The threats to her and her mother’s lives, as well as the knife within accused-appellant’s reach, further prevented her from resisting her assailant. As accused-appellant sexually assaulted AAA, she cried and pleaded him to stop. Her failure to shout or tenaciously repel accused-appellant does not mean that she voluntarily submitted to his dastardly act.

Accused-appellant questioned the Regional Trial Court’s appreciation of the age of the victim at the time of the commission of rape. He claimed that the birth certificate cast doubt on whether the victim was indeed below 12 years old in February 2003, when the offense was first committed. According to him, AAA’s birth certificate should be questioned as it was registered late.<sup>74</sup> This allegation is speculative.

Absent proof to the contrary, accused-appellant’s objection must be set aside. A public document such as a birth certificate generally enjoys the presumption of regularity.<sup>75</sup> Accused-appellant failed to present any evidence to overturn this legal presumption. In *Baldos v. Court of Appeals*:<sup>76</sup>

Applications for delayed registration of birth go through a rigorous process. The books making up the civil register are considered public documents and are *prima facie* evidence of the truth of the facts stated

<sup>69</sup> *People v. Lor*, 413 Phil. 725, 736 (2001) [Per J. Ynares-Santiago, En Banc].

<sup>70</sup> *Id.*

<sup>71</sup> *People v. Dimanawa*, 628 Phil. 678, 688 (2010) [Per J. Nachura, Third Division].

<sup>72</sup> *People v. Corpuz*, 597 Phil. 459, 467 (2009) [Per J. Carpio-Morales, Second Division].

<sup>73</sup> *Rollo*, p. 15.

<sup>74</sup> The birth certificate was registered on July 9, 2002.

<sup>75</sup> *Baldos v. Court of Appeals*, 638 Phil. 601, 608 (2010) [Per J. Carpio, Second Division].

<sup>76</sup> *Baldos v. Court of Appeals*, 638 Phil. 601 (2010) [Per J. Carpio, Second Division].

there. As a public document, a registered certificate of live birth enjoys the presumption of validity. It is not for [the owner of the birth certificate] to prove the facts stated in his [or her] certificate of live birth, but for petitioners who are assailing the certificate to prove its alleged falsity.<sup>77</sup> (Citations omitted)

Thus, it is not for AAA to prove that the Certificate of Live Birth reflects the truth of the facts stated in it; rather, it is for accused-appellant to rebut the presumption that AAA's birth certificate sufficiently establishes her birth on November 11, 1991. Accused-appellant miserably failed to do this.

A careful examination of the records shows that there is nothing that would warrant a reversal of the Decisions of the Regional Trial Court and the Court of Appeals. "[W]hen a woman, especially a minor, says that she has been raped, she says in effect all that is necessary to show that rape was committed."<sup>78</sup>

Settled is the rule that "factual findings of the trial court and its evaluation of the credibility of witnesses and their testimonies are entitled to great respect and will not be disturbed on appeal, unless the trial court is shown to have overlooked, misapprehended, or misapplied any fact or circumstance of weight and substance."<sup>79</sup>

On the two (2) charges of qualified rape, AAA clearly and consistently communicated how accused-appellant threatened and forced her into having sexual congress with him. Sometime in February 2003, accused-appellant made AAA lie down on the floor and warned her that he would kill her and her mother if she called for attention.<sup>80</sup> He removed AAA's panty, undressed himself, and stripped her of her innocence.<sup>81</sup> AAA cried and pleaded him to stop.<sup>82</sup> She grew more fearful as she saw a knife within the assailant's reach.<sup>83</sup> Accused-appellant again threatened her and her mother's lives.<sup>84</sup> Terrified of accused-appellant's threats, AAA did not tell her mother what happened.<sup>85</sup>

The incident occurred again a week later in February 2003.<sup>86</sup> Accused-appellant told her to lie down, penetrated her vagina, and then went outside.<sup>87</sup> AAA stayed in the room upstairs, crying, until BBB came home

---

<sup>77</sup> Id. at 608

<sup>78</sup> *People v. Dimanawa*, 628 Phil. 678, 689 (2010) [Per J. Nachura, Third Division].

<sup>79</sup> *People v. De Jesus*, 695 Phil. 114, 122 (2012) [Per J. Brion, Second Division].

<sup>80</sup> *Rollo*, pp. 7-8.

<sup>81</sup> Id.

<sup>82</sup> Id.

<sup>83</sup> Id.

<sup>84</sup> Id.

<sup>85</sup> Id.

<sup>86</sup> Id. at 8.

<sup>87</sup> Id.

later that evening.<sup>88</sup> “For the succeeding months, [Entrampas] continued to rape AAA who [kept silent] out of fear.”<sup>89</sup>

Accused-appellant’s acts amounted to statutory rape through carnal knowledge under Article 266-A(1)(d) of the Revised Penal Code, as amended:

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;
  - 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. (Emphasis supplied)

Accused-appellant also committed the crime with the aggravating/qualifying circumstance that he was the common-law spouse of AAA’s mother. Under Article 266-B (1) of the Revised Penal Code, as amended:

Article 266-B. *Penalties.* - Rape under paragraph 1 of the next preceding article shall be punished by *reclusion perpetua*.

...

The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating/qualifying circumstances:

- 1) When the victim is under eighteen (18) years of age and the offender is a . . . guardian . . . or the common-law spouse of the parent of the victim[.]

As to the circumstances qualifying rape, the prosecution established that the victim was less than 12 years old when the incident happened in February 2003, and that the offender was her guardian.<sup>90</sup> AAA’s Certificate of Live Birth proved her minority. AAA was accused-appellant’s foster daughter. AAA and her mother, who was accused-appellant’s former live-in

---

<sup>88</sup> CA *rollo*, pp. 36–37.

<sup>89</sup> *Rollo*, p. 8.

<sup>90</sup> *Id.* at 7.

partner, resided with accused-appellant in his house.

In September 2003, Dr. Bagaporo administered AAA's pregnancy test and found her to be with child.<sup>91</sup> AAA gave birth on November 3, 2003,<sup>92</sup> within nine (9) months from the date of the first rape in February 2003.

Meanwhile, CCC averred that accused-appellant admitted the crime to him, after which CCC reported the incident to the barangay captain and then to the police.<sup>93</sup>

As against these details and testimonies, all that accused-appellant offered in defense were denials and alibis, which jurisprudence has long considered weak and unreliable.<sup>94</sup>

The Regional Trial Court, as affirmed by the Court of Appeals, properly found that the testimonies of AAA, BBB, CCC, and Dr. Bagaporo corroborated each other and supported the physical evidence. There was no showing that the witnesses for the prosecution had ill motives to testify against accused-appellant. Their testimonies are, therefore, accorded full faith and credence.

Raping a daughter destroys the purity of a father-daughter relationship. It shatters her dignity. It destroys her ability to trust her elders charged with her care. The selfish momentary pleasure of the father will torment her for life. In this case, it will also aggravate with the existence of the child of his daughter. This Court is at a loss for words to describe this evil. All it can do is to increase the amounts awarded to AAA in the hope that she will remember that the law is on her side.

In view of the depravity of the acts committed by accused-appellant against his 11-year old foster daughter, this Court increases the amounts awarded to AAA, in accordance with jurisprudence:

For qualified rape through carnal knowledge, this Court modifies the award of civil indemnity from ₱75,000.00 to ₱100,000.00; moral damages from ₱75,000.00 to ₱100,000.00; and exemplary damages from ₱30,000.00 to ₱100,000.00.<sup>95</sup>

---

<sup>91</sup> CA rollo, p. 37.

<sup>92</sup> Rollo, p. 8.

<sup>93</sup> CA rollo, p. 38.

<sup>94</sup> *People v. Liwanag, et al.*, 415 Phil. 271, 295 (2001) [Per J. Ynares-Santiago, First Division].

<sup>95</sup> *People v. Jugueta*, G.R. No. 202124, April 5, 2016  
<<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2016/april2016/202124.pdf>> 29-30 [Per J. Peralta, En Banc].

**WHEREFORE**, in view of the foregoing premises, the Regional Trial Court Decision dated December 6, 2008 and Court of Appeals Decision dated November 6, 2013 are hereby **AFFIRMED with the following MODIFICATIONS**:

Judgment is hereby rendered finding the accused, Juanito Entrampas, in Criminal Case Nos. CN-04-457 and CN-04-458, guilty beyond reasonable doubt of the crime of statutory rape as charged in the informations and as defined and penalized in Article 266-A of the Revised Penal Code.

In Criminal Case No. CN-04-457, Juanito Entrampas is **SENTENCED** to *reclusion perpetua* with all the accessory penalties provided for by law. We modify the award of civil indemnity from ₱75,000.00 to **₱100,000.00**; moral damages from ₱75,000.00 to **₱100,000.00**; and exemplary damages from ₱30,000.00 to **₱100,000.00**,<sup>96</sup> without subsidiary imprisonment in case of insolvency.

Likewise, in Criminal Case No. CN-04-458, Juanito Entrampas is **SENTENCED** to *reclusion perpetua* with all the accessory penalties provided for by law. We modify the award of civil indemnity from ₱75,000.00 to **₱100,000.00**; moral damages from ₱75,000.00 to **₱100,000.00**; and exemplary damages from ₱30,000.00 to **₱100,000.00**,<sup>97</sup> without subsidiary imprisonment in case of insolvency.

All awards for damages are with interest at the legal rate of six percent (6%) per annum from the date of finality of this judgment until fully paid.<sup>98</sup>

**SO ORDERED.**

  
**MARVIC M.V.F. LEONEN**  
Associate Justice

WE CONCUR:

  
**ANTONIO T. CARPIO**  
Associate Justice  
Chairperson

<sup>96</sup> Id.

<sup>97</sup> Id.

<sup>98</sup> *Ricalde v. People*, G.R. No. 211002, January 21, 2015  
<<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2015/january2015/211002.pdf>>  
16 [Per J. Leonen, Second Division].



**DIOSDADO M. PERALTA**  
Associate Justice

On official leave

**JOSE CATRAL MENDOZA**  
Associate Justice



**SAMUEL R. MARTIRES**  
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.



**ANTONIO T. CARPIO**  
Associate Justice  
Chairperson, Second Division

**CERTIFICATION**

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



**MARIA LOURDES P. A. SERENO**  
Chief Justice