



Republic of the Philippines  
Supreme Court  
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,  
*Plaintiff-Appellee,*

G.R. No. 248815

- versus -

Present:

PERLAS-BERNABE, S.A.J.,\*  
HERNANDO,  
*Acting Chairperson,\*\**  
INTING,\*\*\*  
ZALAMEDA, and  
MARQUEZ, JJ.

XXX,<sup>1</sup>

*Accused-Appellant.*

Promulgated:

MAR 23 2022

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DECISION

**HERNANDO, J.:**

This appeal<sup>2</sup> seeks the reversal of the April 8, 2019 Decision<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. CR HC No. 08573, which affirmed with modification the June 27, 2016 Decision<sup>4</sup> of the Regional Trial Court (RTC) of [REDACTED],<sup>5</sup> Branch 130, in Criminal Case Nos. C-87527 and C-87528

\* On official leave.

\*\* Per Office Order No. 2882 dated March 17, 2022.

\*\*\* Designated additional Member per Raffle dated March 17, 2022 Raffle vice J. Rosario who recused due to prior action in the Court of Appeals.

<sup>1</sup> Initials were used to identify the accused-appellant pursuant to Amended Administrative Circular No. 83-15 dated September 5, 2017 entitled "Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders using Fictitious Names/Personal Circumstances.

<sup>2</sup> *Rollo*, pp. 20-21.

<sup>3</sup> *Id.* at 3-19. Penned by Associate Justice Nina G. Antonio-Valenzuela and concurred in by Associate Justices Ricardo R. Rosario (now a Member of this Court) and Perpetua T. Atal-Paño.

<sup>4</sup> *CA rollo*, pp. 60-73. Penned by Presiding Judge Raymundo G. Vallega.

<sup>5</sup> Geographical location is blotted out pursuant to Supreme Court Amended Circular No. 83-2015.

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finding accused-appellant XXX (accused-appellant) guilty beyond reasonable doubt of the crimes of Qualified Trafficking in Persons and Rape.

**The Factual Antecedents:**

Accused-appellant was charged with two counts of Qualified Trafficking in Persons under Section 6(a), in relation to Section 4(e), 3 and 10(c), of Republic Act No. (RA) 9208,<sup>6</sup> otherwise known as the “Anti-Trafficking in Persons Act of 2003,” and one count of Rape under Article 266-A, paragraph 1(a) of the Revised Penal Code, based on the following three Informations, to wit:

In Criminal Case No. C-87527:

That on or about the third week of September 2011, [REDACTED], and within the jurisdiction of this Honorable Court, the above-named accused, by taking advantage of the vulnerability of a 14 year old child, AAA,<sup>7</sup> did then and there, for profit, willfully, unlawfully, and feloniously hire or maintain the latter to engage in sexual intercourse with men in exchange for money or any other consideration, thereby making a prostitute out of the said victim, to her damage and prejudice.

That the crime was attended by the qualifying circumstance of minority, the complainant AAA being only 14 years of age.

CONTRARY TO LAW.

In Criminal Case No. C-87528:

That on or about the 12<sup>th</sup> day of September 2011, in [REDACTED], and within the jurisdiction of this Honorable Court, the above named accused did then and there, willfully, unlawfully, and feloniously have carnal knowledge of AAA, a fourteen (14) year-old minor, by forcibly undressing the latter, preventing her from running away and thereafter inserting his penis into her vagina, to the damage and prejudice of the said minor victim.

CONTRARY TO LAW.

In Criminal Case No. C-87606:

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<sup>6</sup> Entitled “AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS, AND FOR OTHER PURPOSES.” Approved: May 26, 2003.

<sup>7</sup> “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 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]).

That on or about the third week of September 2011, in ██████████, and within the jurisdiction of this Honorable Court, the above-named accused, by taking advantage of the vulnerability of a 13 year old child, BBB,<sup>8</sup> did then and there, for profit, willfully, unlawfully, and feloniously hire or maintain the latter to engage in sexual intercourse with men in exchange for money or any other consideration, thereby making a prostitute out of the said victim, to her damage and prejudice.

That the crime was attended by the qualifying circumstance of minority, the complainant BBB being only 13 years of age.

CONTRARY TO LAW.<sup>9</sup>

Upon his arraignment, accused-appellant pleaded “not guilty” to the crimes charged. After the termination of pre-trial, trial on the merits subsequently ensued.<sup>10</sup>

#### **Version of the Prosecution:**

On September 8, 2011, at around 11:00 p.m., AAA, who was then only 14 years old,<sup>11</sup> went with her friend, BBB, to ██████████ ██████████ to meet with the latter’s “textmates.”<sup>12</sup> Upon arriving at the hotel, BBB introduced AAA to accused-appellant and an unidentified man. Afterwards, the two men booked two separate rooms and all four of them proceeded to go upstairs.<sup>13</sup>

At first, they all stayed in one room where accused-appellant tried to get to know AAA. After some time, AAA noticed that her companions were holding a folded foil paper. Accused-appellant then asked AAA if she wanted to try it out, which turned out to be “*enchang*” or shabu. AAA initially declined the offer but BBB eventually convinced her to join in and try the substance. Thereafter, BBB asked AAA and accused-appellant to leave the room.<sup>14</sup>

Accused-appellant then brought AAA to another room. He asked AAA for her age and further inquired if she was still a virgin. She answered in the affirmative. Accused-appellant then turned off the lights and approached her. He tightly held her upper right arm and kissed her on the lips. While he was taking off her clothes, AAA fearfully pleaded, “*bata pa po ako.*” Accused-appellant assured her that she would not get hurt.<sup>15</sup> AAA tried to escape and ran towards the door but accused-appellant grabbed her clothes and forcefully

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<sup>8</sup> Id.

<sup>9</sup> *Rollo*, pp. 4-5.

<sup>10</sup> Id. at 5.

<sup>11</sup> Id. at 6; Records, Criminal Case No. 87527, p. 134.

<sup>12</sup> Id.

<sup>13</sup> CA *rollo*, p. 63.

<sup>14</sup> Id.

<sup>15</sup> Id. at 63-64.

pulled her back. AAA resisted but her efforts proved futile and accused-appellant continued to undress her. After successfully removing all her clothes, accused-appellant laid AAA in bed, kissed her vagina, went on top of her, and inserted his penis into her vagina. Terrified and helpless, AAA could only cry in pain as she pushed accused-appellant away. She tried to stand up but he forcefully tugged her back to bed. That night, accused-appellant ravished her twice.<sup>16</sup> When she went to the restroom, AAA noticed that her vagina was bleeding. She then rushed to BBB in the other room and told the latter, “*Ginalaw ako ni [REDACTED]*.” However, BBB merely brushed it off and told AAA, “*okay lang iyon. Wala lang iyon.*”<sup>17</sup>

Three days later, or on September 11, 2011, AAA was back at the same hotel with BBB after the latter made her think that they were going somewhere else. There, accused-appellant was already waiting for AAA. BBB then persuaded AAA to go with him, who also promised her that he would give her a mobile phone if she would go to bed with him. Although AAA initially declined the offer, she was nonetheless forced to take drugs and have sex with him.<sup>18</sup>

AAA saw accused-appellant a few more times thereafter because BBB would always find a way to persuade her to go back to the hotel with her. On one occasion, accused-appellant told AAA and BBB to bring four other minor females with them so that he could match these girls with four of his male friends. AAA and BBB did as instructed and brought four girls to the hotel. Inside one of the booked rooms, all of them took shabu. Subsequently, accused-appellant provided AAA with her own male customer, whom she had to have sex with. For the sexual service AAA rendered, the customer paid accused-appellant ₱2,000.00, from which accused-appellant and BBB got ₱500.00 each, while AAA received the remaining ₱1,000.00.<sup>19</sup> The same payment and sharing scheme applied to the other girls who accused-appellant paired with the other male customers.<sup>20</sup> On another date, accused-appellant told AAA and BBB to bring three more girls with them. Similar to the previous incident, accused-appellant matched each of them, including AAA, with a male customer. Afterwards, BBB gave AAA her share in the payment for the sexual service she rendered.<sup>21</sup>

Later on, accused-appellant and AAA had a misunderstanding and they never saw each other again.<sup>22</sup>

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<sup>16</sup> Id. at 64.

<sup>17</sup> Id.

<sup>18</sup> Id.

<sup>19</sup> Id. at 64-65.

<sup>20</sup> Id. at 65.

<sup>21</sup> Id.

<sup>22</sup> Id.

On October 11, 2011, AAA's mother, CCC, found out about the ordeal her daughter had suffered in the hands of accused-appellant. AAA told her mother everything – that accused-appellant sexually abused her, pimped her out to several men, and also taught how to use shabu.<sup>23</sup> Thus, AAA and CCC proceeded and reported the matter to the Women's Desk / Inter Agency Anti-Crime Taskforce (IACAT). Subsequently, the police authorities conducted an entrapment operation at [REDACTED] where accused-appellant, together with two other persons, was successfully apprehended.<sup>24</sup>

On October 13, 2011, AAA was subjected to a medical examination, which revealed a "presence of shallow healing laceration at 3 o' clock position, deep healing laceration at 5 o' clock position and deep healed laceration at 7 o' clock position."<sup>25</sup> It further stated that "medical evaluation shows a clear evidence of blunt penetrating trauma to the hymen."<sup>26</sup> Moreover, AAA also went through a voluntary drug rehabilitation program,<sup>27</sup> as well as a urinalysis, which showed that she was positive for "Trichomonas Vaginalis 0-6/hpg," a sexually transmitted disease.<sup>28</sup>

#### **Version of the Defense:**

For his part, accused-appellant vehemently denied the allegations against him. He claimed that he met AAA on October 12, 2011 through BBB and a certain "Lyn," who asked him if he wanted to pay for the sexual services of AAA, since the latter was in need of some money and was willing to be hooked up.<sup>29</sup> Accused-appellant agreed and instructed AAA and BBB to proceed to [REDACTED]. When accused-appellant and his friend, YYY, met the girls, they immediately noticed how young AAA looked. Accused-appellant asked for AAA's true age but BBB assured him and his friend that both she and AAA were already of age.<sup>30</sup> Unconvinced, accused-appellant and YYY decided to call off the arrangement and leave the hotel.<sup>31</sup> However, before they could leave the hotel room, BBB heard a commotion outside. When she opened the door to check what was happening, police officers suddenly barged into the room and immediately ordered them to lie face down on the ground. Thereafter, accused-appellant and YYY were arrested and brought to Camp Bagong Diwa. Accused-appellant was detained for three months while his case was being heard by the prosecutor's office.<sup>32</sup>

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<sup>23</sup> Id. at 62.

<sup>24</sup> Id.

<sup>25</sup> Records, Criminal Case No. 87527, p. 137.

<sup>26</sup> Id.

<sup>27</sup> Id. at 141-151; CA *rollo*, p. 63.

<sup>28</sup> Records, Criminal Case No. 87527, p. 137; *rollo*, p. 8.

<sup>29</sup> CA *rollo*, p. 66.

<sup>30</sup> Id.

<sup>31</sup> Id. at 66-67.

<sup>32</sup> Id. at 67.

**Ruling of the Regional Trial Court:**

In a Decision dated June 27, 2016, the RTC acquitted accused-appellant in Criminal Case No. C-87606 for failure of the prosecution to provide sufficient evidence to hold him criminally liable of Qualified Trafficking in Persons with respect to BBB.<sup>33</sup> On the other hand, it found accused-appellant guilty beyond reasonable doubt in Criminal Case No. C-87527 for Qualified Trafficking in Persons, and in Criminal Case No. C-87528 for Rape, which were both committed against AAA. The RTC accorded full credence to the testimony of AAA and held that accused-appellant did not only peddle her and offer her services to different men in exchange for money,<sup>34</sup> but that he also had sexual intercourse with AAA against her will and through force and intimidation.<sup>35</sup> The dispositive portion of the RTC Decision reads:

**WHEREFORE**, premises considered, the Court hereby renders judgment as follows:

**In Criminal Case No. C-87606**, for failure of the prosecution to prove the guilt of the accused [REDACTED] of the crime of **Qualified Trafficking in Person** [Section 6 (a) in relation to Section 4 (e), 3 and 10 c of RA 9208 (Anti-Trafficking In Persons Act of 2003) and to Section 5 (a) of RA 8369; Family Courts] he is hereby ordered **ACQUITTED** of the crime charged.;

**In Criminal Case No. C-87527**, the Court finds the accused [REDACTED] **GUILTY** beyond reasonable doubt of the crime of **Qualified Trafficking in Person** [Section 6 (a) in relation to Section 4 (e), 3 and 10 c of RA 9208 (Anti-Trafficking In Persons Act of 2003) and to Section 5 (a) of RA 8369; Family Courts] and hereby sentence him to suffer the penalty of life imprisonment and for him to pay a fine of Two Million pesos (P2,000,000.00); and

**In Criminal Case No. C-87528**, the Court finds the accused [REDACTED] **GUILTY** beyond reasonable doubt of a crime of **Rape** defined and penalized under Article 266-A, par. 1 (a) of the Revised Penal Code as amended by R.A. 8353 and hereby sentence him to suffer an imprisonment of **reclusion perpetua**. Further, he is hereby directed to pay the victim the amount of Php 100,000.00 as civil indemnity, Php 100,000.00 as moral damages and Php 100,000.00 as exemplary damages.

Further, as provided by OCA Circular No. 163-2013 (6 December 2013), the immediate commitment and transfer of the accused [REDACTED] to the New Bilibid Prison in Muntinlupa City, Metro Manila is likewise ordered.

**SO ORDERED.**<sup>36</sup>

<sup>33</sup> Id. at 70.

<sup>34</sup> Id. at 69.

<sup>35</sup> Id. at 72.

<sup>36</sup> Id. at 72-73.

Dissatisfied with the ruling of the RTC, accused-appellant appealed<sup>37</sup> to the CA.

### **Ruling of the Court of Appeals:**

In a Decision dated April 8, 2019, the CA found accused-appellant's appeal unmeritorious and upheld the decision of the RTC. It ruled that the RTC did not err when it convicted accused-appellant of the crimes of Qualified Trafficking in Persons and Rape since the prosecution was able to adequately establish the presence of all the elements of both crimes.<sup>38</sup> Anent the award for damages, the CA deemed it proper to modify the amounts granted by the RTC in order to conform to prevailing jurisprudence.<sup>39</sup> The CA thus ruled:

We **MODIFY** the Decision dated 27 June 2016 of the Regional Trial Court, Branch 130, [REDACTED] ("RTC") as follows:

1. Criminal Case No. C-87527

We find the appellant [REDACTED] **GUILTY BEYOND REASONABLE DOUBT** of the crime of Qualified Trafficking in Persons, punished under Section 4 (e), in relation to Section 6 (a), Republic Act No. 9208, and sentence the appellant [REDACTED] to suffer the penalty of life imprisonment, and to pay the fine of P2,000,000.00, and to pay the victim AAA, the following sums: Php500,000.00 (as moral damages); and Php100,000.00 (as exemplary damages).

All awards for damages shall earn interest at the legal rate of 6% per year, from the date of finality of this Decision, until fully paid.

2. Criminal Case No. C-87528

We find the appellant [REDACTED] **GUILTY BEYOND REASONABLE DOUBT** of the crime of Rape, punished under Article 266-A(1), in relation to Article 266-B, Revised Penal Code, and sentence the appellant [REDACTED] to suffer the penalty of *Reclusion Perpetua*, and order him to pay the victim AAA, the following sums: Php75,000.00 (as civil indemnity); Php75,000.00 (as moral damages); and Php75,000.00 (as exemplary damages).

All awards for damages shall earn interest at the legal rate of 6% per year, from the date of finality of this Decision, until fully paid.

**IT IS SO ORDERED.**<sup>40</sup>

Hence, the present appeal.<sup>41</sup>

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<sup>37</sup> Id. at 21-22.

<sup>38</sup> *Rollo*, pp. 14 and 16.

<sup>39</sup> Id. at 15-17.

<sup>40</sup> Id. at 17-18.

<sup>41</sup> Id. at 20-21.

### Issue

The sole issue for this Court's resolution is whether accused-appellant is guilty beyond reasonable doubt of the crimes of Qualified Trafficking in Persons and Rape.

### Our Ruling

The appeal has no merit. The Court sustains the conviction of accused-appellant for the crimes of Qualified Trafficking in Persons and Rape.

**All the elements of Qualified Trafficking in Persons are present in the instant case.**

In his appellant's brief, accused-appellant contended that he was not the one who recruited AAA. He claimed that he was only a customer and that the person truly responsible for the crime was "Lyn" or "Mommy Lyn," who was the handler or pimp of AAA. He also asserted that AAA, having been influenced by BBB, entered into the prostitution trade by her own volition because she needed the money. Consequently, accused-appellant argued that his guilt was not proven beyond reasonable doubt and that he should be acquitted.<sup>42</sup>

Such contentions are untenable.

Section 3 (a) of RA 9208 defines Trafficking in Persons as "**the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge**, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, **taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation**, forced labor or services, slavery, servitude or the removal or sale of organs." It further states that "[t]he recruitment, transportation, transfer, harboring or receipt of child for the purpose of exploitation shall also be considered as 'trafficking in persons' even if it does not involve any of the means set forth in the preceding paragraph."<sup>43</sup>

Meanwhile, Section 4 of the same law enumerates the acts that constitute Trafficking in Persons. The portion of Section 4 which is relevant to the case before Us reads:

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<sup>42</sup> CA *rollo*, pp. 52-55.

<sup>43</sup> Section 3 (a), RA 9208; Emphasis supplied.



SEC. 4. *Acts of Trafficking in Persons.* — It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

X X X X

(e) To maintain or hire a person to engage in prostitution or pornography[.]

Prostitution is specifically defined in the law as “any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.”<sup>44</sup>

In *People v. Casio*, the Court identified the elements of Trafficking in Persons, as follows:

(1) The *act* of “recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders;”

(2) The *means* used which include “threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another;” and

(3) The *purpose* of trafficking is exploitation which includes “exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.”<sup>45</sup>

Furthermore, under Section 6(a), the crime of Trafficking in Persons becomes qualified when the trafficked person is a child, which refers to a person below the age of 18 years old or above 18 years old but is unable to fully take care of or protect himself or herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.<sup>46</sup>

Applying the foregoing law and jurisprudence in the case at bar, the RTC and the CA correctly convicted accused-appellant of Qualified Trafficking in Persons. It was sufficiently proved that all the elements of the crime are present. Through the straightforward and credible testimonies of the prosecution witnesses, particularly AAA's, it was established that: 1) accused-appellant recruited or hired AAA by instructing her and BBB to bring other minor females at the hotel and introducing them to different customers on separate occasions; (2) accused-appellant took advantage of AAA's vulnerability as a minor child and as someone who was in need of money; and (3) the purpose of such acts

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<sup>44</sup> Section 3 (c), RA 9208.

<sup>45</sup> *People v. Amurao*, G.R. No. 229514, July 28, 2020, citing *People v. Casio*, 749 Phil. 458, 473-473 (2014).

<sup>46</sup> Section 3 (b), RA 9208.

was for AAA and the other minor females to engage in sexual intercourse or to render sexual services to several men in exchange for money. Additionally, it is an undisputed fact that AAA was only 14 years old during the time when the incident occurred. Thus, this Court finds that the CA committed no reversible error when it affirmed the RTC's finding that accused-appellant is guilty beyond reasonable doubt of the crime of Qualified Trafficking in Persons.

Accused-appellant's bare denial that he did not recruit AAA to engage in prostitution must fail in light of the latter's clear, consistent, and credible testimony of AAA. It is an established doctrine that denial is an inherently weak defense and constitutes self-serving negative evidence, which cannot be accorded greater evidentiary weight than the positive declaration by a credible witness. Stated otherwise, mere denial, without any strong evidence to support it, cannot overcome the positive declaration by the victim regarding the identity of the accused as well as his involvement in the crime attributed to him.<sup>47</sup>

Moreover, the CA correctly held that there is basis to award moral and exemplary damages. Prevailing jurisprudence dictates that "[t]he criminal case of Trafficking in Persons as a Prostitute is an analogous case to the crimes of seduction, abduction, rape, or other lascivious acts. In fact, it is worse, thus, justifying the award of moral damages. Exemplary damages are imposed when the crime is aggravated, as in this case."<sup>48</sup> Hence, the CA properly awarded moral damages in the amount of ₱500,000.00 and exemplary damages in the amount ₱100,000.00 in favor of AAA, plus legal interest of six percent (6%) per *annum* from finality of judgment until full payment.<sup>49</sup>

**All the elements of Rape are likewise availing in this case.**

Accused-appellant next argued in his appellant's brief that the prosecution failed to prove all the elements of Rape in Criminal Case No. C-87528. He claimed that the presence of force, threat, or intimidation is lacking since AAA disclosed in her sworn statement that she needed money and willingly went with BBB after finding out that the latter earned money by prostituting herself.<sup>50</sup> He also asserted that, "while AAA admitted that she had sexual intercourse with the accused-appellant, she did not [say] that she was forced, threatened, or intimidated. Besides, the fact that AAA met with the accused-appellant and had sexual intercourse with him more than once... is indicative that she did so willingly."<sup>51</sup>

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<sup>47</sup> *People v. Quiapo*, 838 Phil. 260, 271 (2018).

<sup>48</sup> *People v. Maycabalong*, G.R. No. 215324, December 5, 2019, citing *People v. Aguirre*, 820 Phil. 1085, 1105-1106 (2017).

<sup>49</sup> *Id.*

<sup>50</sup> *CA rollo*, p. 57.

<sup>51</sup> *Id.*

This Court is not persuaded.

Article 266-A of the RPC provides:

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; x x x

Based on the foregoing provision, the prosecution must prove beyond reasonable doubt the following elements: (a) that the accused had carnal knowledge of the victim, and (b) that the said act was accomplished through the use of force, threat, or intimidation.

Here, the prosecution sufficiently established that accused-appellant had carnal knowledge of AAA on September 8, 2011, through force and intimidation by pulling her and pinning her down, and inserting his penis into her vagina, against her will and without her consent.

AAA clearly and categorically testified that accused-appellant successfully had sexual intercourse with her, despite her struggles and protestations. Her narration revealed the continuous resistance that she put up, and how accused-appellant eventually overpowered her in consummating his bestial desires. It has been repeatedly ruled 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.<sup>52</sup> We find this doctrine applicable in the case at bar.

It also bears to note at this juncture that, “generally, whenever there is inconsistency between the affidavit and the testimony of a witness in court, the testimony commands greater weight considering that affidavits taken *ex parte* are inferior to testimonies in court, the former being almost invariably incomplete and oftentimes inaccurate, sometimes from partial suggestions and sometimes from want of suggestions and inquiries, without the aid of which the witness may be unable to recall the connected circumstances necessary for his accurate recollection of the subject.”<sup>53</sup> Thus, while it was not stated in AAA's sworn statement that she had sexual intercourse with accused-appellant against her will and without her consent, greater weight must be accorded to her testimony in court where she described in full detail how accused-appellant actually forced himself on her.

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<sup>52</sup> *People v. Ramos*, 838 Phil. 797, 809 (2018).

<sup>53</sup> *People v. Lumikid*, G.R. No. 242695, June 23, 2020.

Further, it is well-settled in this jurisdiction that the assessment of the credibility of witnesses is a domain best left to the trial court judge because of his unique opportunity to observe their deportment and demeanor on the witness stand, a vantage point denied appellate courts; and when his findings have been affirmed by the CA, these are generally binding and conclusive upon this Court.<sup>54</sup>

Anent the award of damages, the CA properly modified the amounts imposed from ₱100,000.00 each for civil indemnity, moral damages, and exemplary damages to ₱75,000.00 each, being consistent with current jurisprudence.<sup>55</sup>

In sum, the Court finds no cogent reason to overturn the findings of the RTC, as affirmed by the CA. There was no showing that they overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case.<sup>56</sup> Thus, accused-appellant's criminal liability for the aforesaid acts must stand.

**WHEREFORE**, the appeal is **DISMISSED**. The April 8, 2019 Decision of the Court of Appeals in CA-G.R. CR HC No. 08573 is **AFFIRMED**. Accused-appellant XXX is hereby found **GUILTY** beyond reasonable doubt of the crimes of:

(1) Qualified Trafficking in Persons under Section 4(e) in relation to Section 6(a) and punished under Section 10 (c) of Republic Act No. 9208 or the Anti-Trafficking in Persons Act of 2003. He is **SENTENCED** to suffer the penalty of life imprisonment and to **PAY** a fine of Two Million Pesos (₱2,000,000.00). He is further **ORDERED** to **PAY** Five Hundred Thousand Pesos (₱500,000.00) as moral damages and One Hundred Thousand Pesos (₱100,000.00) as exemplary damages to AAA;

(2) Rape under Article 266-A and penalized under Article 266-B of the Revised Penal Code. He is thus **SENTENCED** to suffer the penalty of *reclusion perpetua*. Further, he is **ORDERED** to **PAY** the victim, AAA, the following amounts: (1) ₱75,000.00 as civil indemnity; (2) ₱75,000.00 as moral damages; and (3) ₱75,000.00 as exemplary damages.

All damages awarded shall be subject to interest at the rate of 6% per *annum* from the finality of this Decision until its full satisfaction.

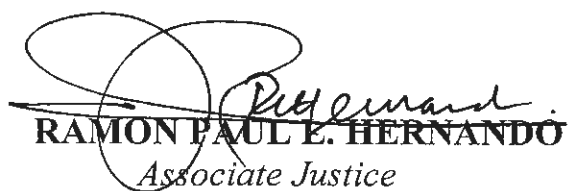
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<sup>54</sup> *People v. DDD*, G.R. No. 243583, September 3, 2020.

<sup>55</sup> *People v. Tulagan*, G.R. No. 227363, March 12, 2019, citing *People v. Jugueta*, 783 Phil. 806, 849 (2016).

<sup>56</sup> *People v. Estonilo*, G.R. No. 248694, October 14, 2020.

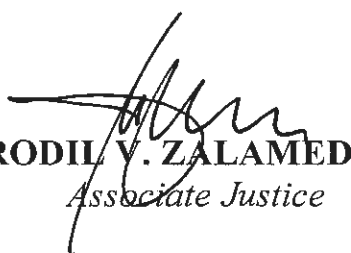
**SO ORDERED.**

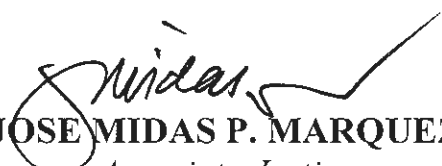
  
**RAMON PAUL E. HERNANDO**  
*Associate Justice*

WE CONCUR:

On official leave.  
**ESTELA M. PERLAS-BERNABE**  
*Senior Associate Justice*


  
**HENRI JEAN PAUL B. INTING**  
*Associate Justice*

  
**RODIL V. ZALAMEDA**  
*Associate Justice*

  
**JOSE MIDAS P. MARQUEZ**  
*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.



**RAMON PAUL L. HERNANDO**  
*Associate Justice*  
*Acting Chairperson*

## CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Acting 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.



**ALEXANDER G. GESMUNDO**  
*Chief Justice*