

SECOND DIVISION

[G.R. No. 244288, March 04, 2020]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. XXX,
ACCUSED-APPELLANT.**

DECISION

A. REYES, JR., J.:

The Case

On appeal before this Court is the Decision^[1] rendered by the Court of Appeals (CA) on September 27, 2018 in CA-G.R. CR HC NO. 09601, which affirmed the June 28, 2017 Judgment^[2] of the Regional Trial Court (RTC) of [REDACTED], Catanduanes, Branch 43, in Criminal Case Nos. 4746 to 4751 and 4752 to 4763, finding accused-appellant XXX guilty beyond reasonable doubt of six counts of Rape against AAA,^[3] and 12 counts of Rape qualified by minority and relationship against BBB,^[4] both of whom are his biological daughters.

The Antecedent Facts

On November 26, 2002, 18 separate informations were filed against herein accused-appellant charging him with 18 counts of Rape, committed against his own daughters, AAA and BBB, to wit:

Criminal Case No. 4746^[5]

That one evening in May, 2004, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, by means of force, threat and intimidation, with lewd design, did then and there willfully, unlawfully and feloniously, have carnal knowledge of AAA, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice and of the general public.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4747^[6]

That on the evening of June 2, 2004, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, by means of force, threat and intimidation, with lewd design, did then and there willfully, unlawfully and

feloniously, have carnal knowledge of AAA, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice and of the general public.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only nine (9) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4748^[7]

That on the evening of November 30, 2004, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, by means of force, threat and intimidation, with lewd design, did then and there willfully, unlawfully and feloniously, have carnal knowledge of AAA, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice and of the general public.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only nine (9) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4749^[8]

That on the evening in December 16, 2004, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, by means of force, threat and intimidation, with lewd design, did then and there willfully, unlawfully and feloniously, have carnal knowledge of AAA, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice and of the general public.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only nine (9) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4750^[9]

That on the evening in December 16, 2005, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, by means of force, threat and intimidation, with lewd design, did then and there willfully, unlawfully and feloniously, have carnal knowledge of AAA, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice and of the general public.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only ten (10) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4751^[10]

That one evening sometime in Nov. 2006, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, by means of force, threat and intimidation, with lewd design, did then and there willfully, unlawfully and feloniously, have carnal knowledge of AAA, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice and of the general public.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only ten (10) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4752^[11]

That on the evening in July 24, 2008, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the above named accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4753^[12]

That on the evening of August 2, 2008, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the above named accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4754^[13]

That on the evening in November 14, 2008, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4755^[14]

That on the evening of December 24, 2008, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4756^[15]

That on the evening in December 31, 2008, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the acc used to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4757^[16]

That on the evening of January 17, 2009, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only eight (8) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4758^[17]

That on the evening of December 24, 2009, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only nine (9) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4759^[18]

That on the evening of December 31, 2009, at [REDACTED], Province of Catanduanes, Philippines and within the jurisdiction of this Honorable Court, the abovenamed accused, exercising moral ascendancy over the minor victim being the latter's father, did then and there by means of force, threat and intimidation, with lewd design, have carnal knowledge of BBB, a child under twelve years of age, without her consent, which said acts debased, degraded or demeaned the intrinsic worth and dignity of said child victim and human being, to her damage and prejudice.

That the crime was aggravated by the relationship of the accused to the victim, the latter being his daughter, and the minority of the victim, she being only nine (9) years of age at the time of the incident.

CONTRARY TO LAW.

Criminal Case No. 4760^[19]