

Title: People of the Philippines vs. Feliciano Patola and Eunillo Sangayon

Facts:

In the evening of September 7, 1973, in Roman Coñado's store in Barrio Switch, Maco, Davao del Norte, salesgirls Mila Amoguis and Elena Odal were present when Feliciano Patola and Eunillo Sangayon, along with two unidentified individuals, committed a robbery with rape. Initially, Sangayon closed the store's door and Patola, armed with a gun, threatened Mila. The perpetrators hog-tied the victims, including the Coñado family, and robbed the store, taking cash and goods valued at P4,500. Subsequently, Sangayon and another accomplice raped Elena, while Patola raped Mila. Medical examinations confirmed the sexual assault on both victims.

Six days post-crime, the accused were arrested and identified by the victims. Despite their defenses of alibi, the trial court found them guilty, emphasizing the victims and a witness's positive identification over the alibis. The Court of First Instance of Davao, Tagum Branch 8, consequently imposed the death penalty on Patola and Sangayon. Patola appealed the decision.

Issues:

1. Whether the trial court erred in disregarding the accused's alibi.
2. Whether there's proof beyond reasonable doubt of the accused committing rape.
3. Whether Sangayon's extrajudicial confession and Dalogdog's testimony were rightfully considered by the trial court.
4. The appropriateness of the death penalty imposed by the trial court.

Court's Decision:

The Supreme Court affirmed the conviction but modified the penalty to reclusion perpetua due to a lack of necessary votes for the death penalty. The Court found the testimonies of the victims and the store owner credible and adequate to prove the crime. It also resolved the legal controversy on whether robbery with qualified rape should be punished under Article 294(2) of the Revised Penal Code or Article 335, siding with the former, as established in precedent cases.

Doctrine:

Robbery with rape, a crime against property, is punishable under Article 294(2) of the Revised Penal Code rather than Article 335 which deals with rape. The penalty for robbery with rape is reclusion perpetua, following the amendment by Presidential Decree No. 767, if

not considering the death penalty due to lack of the necessary votes.

Class Notes:

- ****Elements of Robbery with Rape****: Theft with violence against or intimidation of persons combined with the act of rape.
- ****Positive Identification Over Alibi****: The Court tends to give more weight to positive identification of the accused by the victims and witnesses over the defense of alibi.
- ****Rape Medical Examination****: Physical evidence such as contusions and sperm cells presence contribute significantly to proving the crime of rape.
- ****Extrajudicial Confession's Weight****: An extrajudicial confession, even not considered under Article IV, Section 20 of the Constitution, does not negate the oral evidence proving beyond reasonable doubt the accused's guilt.
- ****Sentencing and Penalty****: Identification of the correct penal provision is crucial. The Supreme Court clarified that robbery with qualified rape should be penalized under Article 294(2) of the Revised Penal Code, guiding the imposition of penalties in similar cases.

Historical Background:

The case reflects the legal procedural dynamics in the Philippine judicial system, particularly in criminal cases involving heinous crimes such as robbery with rape. It illustrates the transition and interpretation of penal provisions over time, with specific reference to amendments in the Revised Penal Code and the impact of the death penalty's imposition requirements.