Republic of the Philippines
Supreme Court
Baguio City

THIRD DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

- *versus* -

RENANTE COMPRADO *Y* BRONOLA,
Accused-Appellant.

G.R. No. 213225

Present:

VELASCO, JR., *J.*, *Chairperson*,
BERSAMIN,
LEONEN,
MARTIRES, and
GESMUNDO, *JJ.*

Promulgated:

April 4, 2018

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DECISION

MARTIRES, *J.*:

This is an appeal from the Decision[1] dated 19 May 2014, of the Court of Appeals *(CA)* in CA-G.R. CR-HC No. 01156 which affirmed the Decision[2] dated 18 April 2013, of the Regional Trial Court, Branch 25, Misamis Oriental *(RTC)*, in Criminal Case No. 2011-671 finding Renante Comprado *y* Bronola *(accused-appellant)* guilty of illegal possession of marijuana.

THE FACTS

On 19 July 2011, accused-appellant was charged with violation of Section 11, Article 2 of Republic Act *(R.A.)* No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002. The Information reads:

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1 *Rollo*, pp. 3-15.

2 Records, pp. 117-123; penned by Presiding Judge Arthur L. Abundiente.

> That on July 15, 2011, at more or less eleven o'clock in the evening, along the national highway, Puerto, Cagayan de Oro City, Philippines and within the jurisdiction of the Honorable Court, the above-named accused, without being authorized by law to possess or use any dangerous drugs, did then and there, wilfully, unlawfully and criminally have in his possession, control and custody 3,200 grams of dried fruiting tops of suspected marijuana, which substance, after qualitative examination conducted by the Regional Crime Laboratory, Office No. 10, Cagayan de Oro City, tested positive for marijuana, a dangerous drug, with the said accused, knowing the substance to be a dangerous drug.[3]

Upon his arraignment on 8 August 2011, accused-appellant pleaded not guilty to the crime charged. Thereafter, trial on the merits ensued.

Version of the Prosecution

On 15 July 2011, at 6:30 in the evening, a confidential informant *(CI)* sent a text message to Police Inspector Dominador Orate, Jr. *(P/Insp. Orate),* then Deputy Station Commander of Police Station 6, Puerto, Cagayan de Oro City, that an alleged courier of marijuana together with a female companion, was sighted at Cabanglasan, Bukidnon. The alleged courier had in his possession a backpack containing marijuana and would be traveling from Bukidnon to Cagayan de Oro City. At 9:30 in the evening, the CI called P/Insp. Orate to inform him that the alleged drug courier had boarded a bus with body number .2646 and plate number KVP 988 bound for Cagayan de Oro City. The CI added that the man would be carrying a backpack in black and violet colors with the marking "Lowe Alpine." Thus, at about 9:45 in the evening, the police officers stationed at Police Station 6 put up a checkpoint in front of the station.[4]

At 11:00 o'clock in the evening, the policemen stopped the bus bearing the said body and plate numbers. P/Insp. Orate, Police Officer 3 Teodoro de Oro *(PO3 De Oro)*, Senior Police Officer 1 Benjamin Jay Reycitez *(SPO1 Reycitez)*, and PO1 Rexie Tenio *(PO1 Tenio)* boarded the bus and saw a man matching the description given to them by the CI. The man was seated at the back of the bus with a backpack placed on his lap. After P/Insp. Orate asked the man to open the bag, the police officers saw a transparent cellophane containing dried marijuana leaves.[5]

SPO1 Reycitez took photos of accused-appellant and the cellophane bag containing the dried marijuana leaves.[6] PO3 De Oro, in the presence of accused-appellant, marked the bag "RCB-2" and the contents of the bag

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3 Id. at 3.
4 TSN, 2 April 2012, pp. 5-9.
5 Id. at 9-11.
6 TSN, 23 February 2012, p. 7.

"RCB-1."[7] Thereafter, PO1 Tenio and PO3 De Oro brought accused-appellant and the seized bag to the PNP Crime Laboratory for examination.[8] On 16 July 2011, at around 1:40 in the morning, Police Senior Inspector Charity Caceres *(PSI Caceres)* of the PNP Crime Laboratory Office 10, Cagayan de Oro City, received the requests for examination and the specimen. PSI Caceres, after conducting qualitative examination of the specimen, issued Chemistry Report No. D-253-2011[9] stating that the dried leaves seized from accused-appellant were marijuana and which weighed 3,200 grams.

Version of the Defense

Accused-appellant denied ownership of the bag and the marijuana. He maintains that on 15 July 2011, at around 6:30 in the evening, he and his girlfriend went to the house of a certain Freddie Nacorda in Aglayan, Bukidnon, to collect the latter's debt. When they were about to leave, Nacorda requested him to carry a bag to Cagayan de Oro City

When they reached Malaybalay City, Bukidnon, their vehicle was stopped by three (3) police officers. All of the passengers were ordered to alight from the vehicle for baggage inspection. The bag was opened and they saw a transparent cellophane bag containing marijuana leaves. At around 9:00 o'clock in the evening, accused-appellant, his girlfriend, and the police officers who arrested them boarded a bus bound for Cagayan de Oro City.

When the bus approached Puerto, Cagayan de Oro City, the police officers told the bus driver to stop at the checkpoint. The arresting officers took photos of accused-appellant and his girlfriend inside the bus. They were then brought to the police station where they were subjected to custodial investigation without the assistance of counsel.[10]

The RTC Ruling

In its decision, the RTC found accused-appellant guilty of illegal possession of marijuana. It held that accused-appellant's uncorroborated claim that he was merely requested to bring the bag to Cagayan de Oro City, did not prove his innocence; mere possession of the illegal substance already consummated the crime and good faith was not even a defense. The RTC did not lend credence to accused-appellant's claim that he was arrested in Malaybalay City, Bukidnon, because it was unbelievable that the police

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7 TSN, 16 January 2012, p. 13.
8 TSN, 23 February 2012, p. 13.
9 Records, pp. 14-15.
10 Id. (no proper pagination); Judicial Affidavit of Accused-Appellant.

officers would go out of their jurisdiction in Puerto, Cagayan de Oro City, just to apprehend accused-appellant in Bukidnon. The *fallo* reads:

> **WHEREFORE**, premises considered, this Court finds the accused **RENANTE COMPRADO y BRONOLA GUILTY BEYOND REASONABLE DOUBT of the crime defined and penalized under Section 11, [7], Article II of R.A. No. 9165, as charged in the Information, and hereby sentences him to suffer the penalty of LIFE IMPRISONMENT, and to pay the Fine of Five Hundred Thousand Pesos [P500,000.00], without subsidiary penalty in case of non-payment of fine.**
>
> Let the penalty imposed on the accused be a lesson and an example to all who have criminal propensity, inclination and proclivity to commit the same forbidden acts, that crime does not pay, and that the pecuniary gain and benefit which one can derive from possessing drugs, or other illegal substance, or from committing any other acts penalized under Republic Act 9165, cannot compensate for the penalty which one will suffer if ever he is prosecuted and penalized to the full extent of the law. [11]

Aggrieved, accused-appellant appealed before the CA.

The CA Ruling

In its decision, the CA affirmed the conviction of accused-appellant. It opined that accused-appellant submitted to the jurisdiction of the court because he raised no objection as to the irregularity of his arrest before his arraignment. The CA reasoned that the seized items are admissible in evidence because the search and seizure of the illegal narcotics were made pursuant to a search of a moving vehicle. It added that while it was admitted by the arresting police officers that no representatives from the media and other personalities required by law were present during the operation and during the taking of the inventory, noncompliance with Section 21, Article II of R.A. No. 9165 was not fatal and would not render inadmissible accused-appellant's arrest or the items seized from him because the prosecution was able to show that the integrity and evidentiary value of the seized items had been preserved. The CA disposed the case in this wise:

> WHEREFORE, the appeal is DISMISSED. The Judgment dated 18 April 2013 of the Regional Trial Court of Misamis Oriental, 10th Judicial Region, Branch 25 in Criminal Case No. 2011-671 is hereby affirmed in toto.[12]

Hence, this appeal.

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[11] Id. at 122.
[12] *Rollo*, p. 14.

ISSUES

I. Whether accused-appellant's arrest was valid;
II. Whether the seized items are admissible in evidence; and
III. Whether accused-appellant is guilty of the crime charged.

OUR RULING

The Court finds for accused-appellant.

I.

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized.[13]

The Bill of Rights requires that a search and seizure must be carried out with a judicial warrant; otherwise, any evidence obtained from such warrantless search is inadmissible for any purpose in any proceeding.[14] This proscription, however, admits of exceptions, namely: 1) Warrantless search incidental to a lawful arrest; 2) Search of evidence in plain view; 3) Search of a moving vehicle; 4) Consented warrantless search; 5) Customs search; 6) Stop and Frisk; and 7) Exigent and emergency circumstances.[15]

II.

A stop-and-frisk search is often confused with a warrantless search incidental to a lawful arrest. However, the distinctions between the two have already been settled by the Court in *Malacat v. CA*:[16]

> In a search incidental to a lawful arrest, as the precedent arrest determines the validity of the incidental search, the legality of the arrest is questioned in a large majority of these cases, e.g., whether an arrest was merely used as a pretext for conducting a search. In this instance, **the law requires that there first be a lawful arrest before a search can be made** – the process cannot be reversed. At bottom, assuming a valid arrest, the arresting officer may search the person of the arrestee and the

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13 1987 Constitution, Article III, Section 2.
14 *People v. Nuevas*, 545 Phil. 356, 369 (2007).
15 Id. at 370.
16 347 Phil. 462 (1997).

area within which the latter may reach for a weapon or for evidence to destroy, and seize any money or property found which was used in the commission of the crime, or the fruit of the crime, or that which may be used as evidence, or which might furnish the arrestee with the means of escaping or committing violence.

x x x x

We now proceed to the justification for and allowable scope of a "stop-and-frisk" as a "limited protective search of outer clothing for weapons," as laid down in *Terry*, thus:

> We merely hold today that where **a police officer observes unusual conduct which leads him reasonably to conclude in light of his experience that criminal activity may be afoot and that the persons with whom he is dealing may be armed and presently dangerous**, where in the course of investigating this behavior he identifies himself as a policeman and makes reasonable inquiries, and where nothing in the initial stages of the encounter serves to dispel his reasonable fear for his own or others' safety, he is entitled [to] the protection of himself and others in the area to conduct a carefully **limited search of the outer clothing of such persons in an attempt to discover weapons which might be used to assault him**. Such a search is a reasonable search under the Fourth Amendment.

Other notable points of *Terry* are that while probable cause is not required to conduct a "stop and frisk" it nevertheless holds that mere suspicion or a hunch will not validate a "stop and frisk." **A genuine reason must exist, in light of the police officer's experience and surrounding conditions, to warrant the belief that the person detained has weapons concealed about him.** Finally, a "stop-and-frisk" serves a two-fold interest: (1) the general interest of effective crime prevention and detection, which underlies the recognition that a police officer may, under appropriate circumstances and in an appropriate manner, approach a person for purposes of investigating possible criminal behavior even without probable cause; and (2) the more pressing interest of safety and self-preservation which permit the police officer to take steps to assure himself that the person with whom he deals is not armed with a deadly weapon that could unexpectedly and fatally be used against the police officer.[17] (emphases supplied and citations omitted)

III.

A valid stop-and-frisk was illustrated in the cases of *Posadas v. CA (Posadas)*,[18] *Manalili v. CA (Manalili)*,[19] and *People v. Solayao (Solayao)*.[20]

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17 Id. at 480-482.
18 266 Phil. 306 (1990).
19 345 Phil. 632 (1997).
20 330 Phil. 811 (1996).

In *Posadas*, two policemen were conducting a surveillance within the premises of the Rizal Memorial Colleges when they spotted the accused carrying a *buri* bag and acting suspiciously. They approached the accused and identified themselves as police officers. The accused attempted to flee but his attempt to get away was thwarted by the policemen who then checked the *buri* bag wherein they found guns, ammunition, and a grenade.[21]

In *Manalili*, police officers were patrolling the Caloocan City cemetery when they chanced upon a man who had reddish eyes and was walking in a swaying manner. When this person tried to avoid the policemen, the latter approached him and introduced themselves as police officers. The policemen then asked what he was holding in his hands, but he tried to resist.[22]

In *Solayao*, police operatives were carrying out an intelligence patrol to verify reports on the presence of armed persons roaming around the barangays of Caibiran, Biliran. Later on, they met the group of accused-appellant. The police officers became suspicious when they observed that the men were drunk and that accused-appellant himself was wearing a camouflage uniform or a jungle suit. Upon seeing the government agents, accused-appellant's companions fled. Thus, the police officers found justifiable reason to stop and frisk the accused.[23]

IV.

On the other hand, the Court found no sufficient justification in the stop and frisk committed by the police in *People v. Cogaed (Cogaed)*.[24] In that case, the police officers received a message from an informant that one Marvin Buya would be transporting marijuana from Barangay Lun-Oy, San Gabriel, La Union, to the Poblacion of San Gabriel, La Union. A checkpoint was set up and when a passenger jeepney from Barangay Lun-Oy arrived at the checkpoint, the jeepney driver disembarked and signaled to the police officers that the two male passengers were carrying marijuana.

SPO1 Taracatac approached the two male passengers who were later identified as Victor Cogaed and Santiago Dayao. SPO1 Taracatac asked Cogaed and Dayao what their bags contained. Cogaed and Dayao told SPO1 Taracatac that they did not know since they were transporting the bags as a favor for their barrio mate named Marvin. After this exchange, Cogaed opened the blue bag, revealing three bricks of what looked like marijuana. The Court, in that case, invalidated the search and seizure ruling that there were no suspicious circumstances that preceded the arrest. Also, in *Cogaed*,

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21 *Posadas v. CA*, supra note 18 at 307-308.
22 *Manalili v. CA*, supra note 19 at 638.
23 *People v. Solayao*, supra note 20 at 814-815.
24 740 Phil. 212, 220-222 (2014).

there was a discussion of various jurisprudence wherein the Court adjudged that there was no valid stop-and-frisk:

> The circumstances of this case are analogous to *People v. Aruta*. In that case, an informant told the police that a certain "Aling Rosa" would be bringing in drugs from Baguio City by bus. At the bus terminal, the police officers prepared themselves. The informant pointed at a woman crossing the street and identified her as "Aling Rosa." The police apprehended "Aling Rosa," and they alleged that she allowed them to look inside her bag. The bag contained marijuana leaves.
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> In *Aruta*, this court found that the search and seizure conducted was illegal. There were no suspicious circumstances that preceded Aruta's arrest and the subsequent search and seizure. It was only the informant that prompted the police to apprehend her. The evidence obtained was not admissible because of the illegal search. Consequently, Aruta was acquitted.
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> *Aruta* is almost identical to this case, except that it was the jeepney driver, not the police's informant, who informed the police that Cogaed was "suspicious."
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> The facts in *Aruta* are also similar to the facts in *People v. Aminnudin*. Here, the National Bureau of Investigation (NBI) acted upon a tip, naming Aminnudin as somebody possessing drugs. The NBI waited for the vessel to arrive and accosted Aminnudin while he was disembarking from a boat. Like in the case at bar, the NBI inspected Aminnudin's bag and found bundles of what turned out to be marijuana leaves. The court declared that the search and seizure was illegal. Aminnudin was acquitted.
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> x x x x
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> *People v. Chua* also presents almost the same circumstances. In this case, the police had been receiving information that the accused was distributing drugs in "different karaoke bars in Angeles City." One night, the police received information that this drug dealer would be dealing drugs at the Thunder Inn Hotel so they conducted a stakeout. A car "arrived and parked" at the hotel. The informant told the police that the man parked at the hotel was dealing drugs. The man alighted from his car. He was carrying a juice box. The police immediately apprehended him and discovered live ammunition and drugs in his person and in the juice box he was holding.
>
> Like in *Aruta*, this court did not find anything unusual or suspicious about Chua's situation when the police apprehended him and ruled that "[t]here was no valid 'stop-and-frisk'."[25] (citations omitted)

The Court finds that the totality of the circumstances in this case is not sufficient to incite a genuine reason that would justify a stop-and-frisk search on accused-appellant. An examination of the records reveals that no overt physical act could be properly attributed to accused-appellant as to

[25] Id. at 235-237.

rouse suspicion in the minds of the arresting officers that he had just committed, was committing, or was about to commit a crime. P/Insp. Orate testified as follows:

> [Prosecutor Vicente]:
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> Q: On that date Mr. Witness, at about 6:30 in the evening, what happened, if any?
> A: At about 6:30 in the evening, I received an information from our Confidential Informant reporting that an alleged courier of marijuana were sighted in their place, Sir.
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> x x x x
>
> [Court]:
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> Q: Aside from the sighting of this alleged courier of marijuana, what else was relayed to you if there were anything else?
>
> A: Our Confidential Informant told me that two persons, a male and a female were having in their possession a black pack containing marijuana, Sir.
>
> x x x x
>
> [Prosecutor Vicente:]
>
> Q: And then, after you received the information through your cellphone, what happened next, Mr. Witness?
>
> A: So, I prepared a team to conduct an entrapment operation in order to intercept these two persons, Sir.
>
> Q: You said that the Informant informed you that the subject was still in Cabanglasan?
> A: Yes, Sir.
>
> Q: How did you entrap the subject when he was still in Cabanglasan?
> A: I am planning to conduct a check point because according to my Confidential Informant the subject person is from Gingoog City, Sir.
>
> Q: According to the information, how will he go here?
> A: He will be travelling by bus, Sir.
>
> Q: What bus?
> A: Bachelor, Sir.
>
> Q: And then, what happened next Mr. Witness?
> A: At about 9:30 in the evening my Confidential Informant again called and informed me that the subject person is now boarding a bus going to Cagayan de Oro City, Sir.
>
> Q: What did he say about the bus, if he said anything, Mr. Witness?
> A: My agent was able to identify the body number of the bus, Bus No. 2646.

Q: Bearing Plate No.?
A: Bearing Plate No. KVP 988, Sir.

Q: What was he bringing at that time, according to the information?
A: According to my agent, these two persons were bringing along with them a back pack color black violet with markings LOWE ALPINE.

Q: Then, what happened next, Mr. Witness?
A: We set up a check point in front of our police station and we waited for the bus to come over, Sir.

x x x x

Q: About 11 o'clock in the evening, what happened, Mr. Witness?
A: When we sighted the bus we flagged down the bus.

Q: After you flagged down the bus, what happened next?
A: We went on board the said bus, Sir.

x x x x

Q: What happened next?
A: We went to the back of the bus and I saw a man carrying a back pack, a black violet which was described by the Confidential Informant, the back pack which was placed on his lap.

x x x x

Q: After you saw them, what happened next?
A: We were able to identify the back pack and the description of the courier, so, we asked him to please open the back pack.

x x x x

Q: What happened next?
A: When he opened the back pack, we found marijuana leaves, the back pack containing cellophane which the cellophane containing marijuana leaves.[26]

In his dissent from *Esquillo v. People*,[27] Justice Lucas P. Bersamin emphasizes that there should be "presence of more than one seemingly innocent activity from which, taken together, warranted a reasonable inference of criminal activity." This principle was subsequently recognized in the recent cases of *Cogaed*[28] and *Sanchez v. People.*[29] In the case at bar, accused-appellant was just a passenger carrying his bag. There is nothing suspicious much less criminal in said act. Moreover, such circumstance, by itself, could not have led the arresting officers to believe that accused-appellant was in possession of marijuana.

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26 TSN, 2 April 2012, pp. 5-10; testimony of P/Insp. Orate.
27 643 Phil. 577, 606 (2010).
28 *People v. Cogaed*, supra note 24 at 233.
29 747 Phil, 552, 573 (2014).

V.

As regards search incidental to a lawful arrest, it is worth emphasizing that a lawful arrest must precede the search of a person and his belongings; the process cannot be reversed.[30] Thus, it becomes imperative to determine whether accused-appellant's warrantless arrest was valid.

Section 5, Rule 113 of the Rules of Criminal Procedure enumerates the instances wherein a peace officer or a private person may lawfully arrest a person even without a warrant:

> Sec. 5. *Arrest without warrant; when lawful.* - A peace officer or a private person may, without a warrant, arrest a person:
>
> (a) When, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense;
>
> (b) When an offense has just been committed and he has probable cause to believe based on personal knowledge of facts or circumstances that the person to be arrested has committed it; and
>
> (c) When the person to be arrested is a prisoner who has escaped from a penal establishment or place where he is serving final judgment or is temporarily confined while his case is pending, or has escaped while being transferred from one confinement to another.

Paragraph (a) of Section 5 is commonly known as an *in flagrante delicto* arrest. For a warrantless arrest of an accused caught *in flagrante delicto* to be valid, two requisites must concur: (1) the person to be arrested must execute an overt act indicating that he has just committed, is actually committing, or is attempting to commit a crime; and (2) such overt act is done in the presence or within the view of the arresting officer.[31] On the other hand, the elements of an arrest effected in hot pursuit under paragraph (b) of Section 5 (arrest effected in hot pursuit) are: first, an offense has just been committed; and second, the arresting officer has probable cause to believe based on personal knowledge of facts or circumstances that the person to be arrested has committed it.[32]

Here, without the tip provided by the confidential informant, accused-appellant could not be said to have executed any overt act in the presence or within the view of the arresting officers which would indicate that he was committing the crime of illegal possession of marijuana. Neither did the arresting officers have personal knowledge of facts indicating that accused-appellant had just committed an offense. Again, without the tipped

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30 *People v. Nuevas*, supra note 14 at 371.
31 *People. Pavia*, 750 Phil. 871 (2015).
32 *Pestilos v. Generoso*, 746 Phil. 301, 321 (2014).

information, accused-appellant would just have been any other bus passenger who was minding his own business and eager to reach his destination. It must be remembered that warrantless arrests are mere exceptions to the constitutional right of a person against unreasonable searches and seizures, thus, they must be strictly construed against the government and its agents. While the campaign against proliferation of illegal drugs is indeed a noble objective, the same must be conducted in a manner which does not trample upon well-established constitutional rights. Truly, the end does not justify the means.

VI.

The appellate court, in convicting accused-appellant, reasoned that the search and seizure is valid because it could be considered as search of a moving vehicle:

> Warrantless search and seizure of moving vehicles are allowed in recognition of the impracticability of securing a warrant under said circumstances as the vehicle can be quickly moved out of the locality or jurisdiction in which the warrant may be sought. Peace officers in such cases, however, are limited to routine checks where the examination of the vehicle is limited to visual inspection. When a vehicle is stopped and subjected to an extensive search, such would be constitutionally permissible only if the officers made it upon probable cause, i.e., upon a belief, reasonably arising out of circumstances known to the seizing officer, that an automobile or other vehicle contains [an] item, article or object which by law is subject to seizure and destruction.[33]

The search in this case, however, could not be classified as a search of a moving vehicle. In this particular type of search, the vehicle is the target and not a specific person. Further, in search of a moving vehicle, the vehicle was intentionally used as a means to transport illegal items. It is worthy to note that the information relayed to the police officers was that a passenger of that particular bus was carrying marijuana such that when the police officers boarded the bus, they searched the bag of the person matching the description given by their informant and not the cargo or contents of the said bus. Moreover, in this case, it just so happened that the alleged drug courier was a bus passenger. To extend to such breadth the scope of searches on moving vehicles would open the floodgates to unbridled warrantless searches which can be conducted by the mere expedient of waiting for the target person to ride a motor vehicle, setting up a checkpoint along the route of that vehicle, and then stopping such vehicle when it arrives at the checkpoint in order to search the target person.

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[33] *People v. Libnao*, 443 Phil. 506, 515-516 (2003).

VII.

Any evidence obtained in violation of the right against unreasonable searches and seizures shall be inadmissible for any purpose in any proceeding.[34] This exclusionary rule instructs that evidence obtained and confiscated on the occasion of such unreasonable searches and seizures are deemed tainted and should be excluded for being the proverbial fruit of a poisonous tree. In other words, evidence obtained from unreasonable searches and seizures shall be inadmissible in evidence for any purpose in any proceeding.[35]

Without the confiscated marijuana, no evidence is left to convict accused-appellant. Thus, an acquittal is warranted, despite accused-appellant's failure to object to the regularity of his arrest before arraignment. The legality of an arrest affects only the jurisdiction of the court over the person of the accused. A waiver of an illegal, warrantless arrest does not carry with it a waiver of the inadmissibility of evidence seized during an illegal warrantless arrest.[36]

WHEREFORE, the appeal is **GRANTED**. The 19 May 2014 Decision of the Court of Appeals in CA-G.R. CR-HC No. 01156 is **REVERSED and SET ASIDE.** Accused-appellant Renante Comprado *y* Bronola is **ACQUITTED** and ordered **RELEASED** from detention unless he is detained for any other lawful cause. The Director of the Bureau of Corrections is **DIRECTED to IMPLEMENT** this Decision and to report to this Court the action taken hereon within five (5) days from receipt.

SO ORDERED.

SAMUEL R. MARTIRES
Associate Justice

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34 1987 Constitution, Article III, Section 3(2).
35 *Comerciante v. People*, 764 Phil. 627, 633-634 (2015).
36 *People v. Racho*, 640 Phil. 669, 681 (2010).

WE CONCUR:

PRESBITERO J. VELASCO, JR.
Associate Justice
Chairperson

LUCAS P. BERSAMIN
Associate Justice

MARVIC M.V.F. LEONEN
Associate Justice

ALEXANDER G. GESMUNDO
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.

PRESBITERO J. VELASCO, JR.
Associate Justice
Chairperson, Third 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.

ANTONIO T. CARPIO
Acting Chief Justice