

### Title:

**\*\*Romeo Bacod y Mercado vs. People of the Philippines: Affirmation of Conviction for Illegal Possession of Firearms and Explosives\*\***

### Facts:

#### Step-by-Step Series of Events:

1. On April 20, 2015, a truck loaded with laundry soap was hijacked in Quezon City. Romeo Bacod y Mercado (Bacod) and another accused, Remigio Umali, were implicated.
2. Four Informations were filed against Bacod and Umali, including robbery, violation of Republic Act (RA) 10591 (Illegal Possession of Firearms), and Presidential Decree (PD) 1866 as amended by RA 9516 (Illegal Possession of Explosives).
3. Both accused initially pleaded not guilty. During the trial, evidence against Bacod included his possession of a .45 caliber pistol and a hand grenade without the necessary licenses.
4. Bacod's defense claimed alibi and denied possession of the mentioned items.
5. The Regional Trial Court (RTC) acquitted both accused of robbery but convicted them for illegal possession of firearms and explosives.
6. Bacod appealed to the Court of Appeals (CA), arguing unlawful warrantless arrest and search, and contesting the evidence's admissibility and the prosecution's failure to prove the crimes' elements.
7. The CA affirmed the RTC's decision with modifications to the penalties imposed. Bacod's appeal to the Supreme Court (SC) ensued, raising issues on the admissibility of evidence and the prosecution's proof of the crimes.

### Issues:

1. Whether the CA erred in convicting Bacod despite alleging inadmissibility of evidence seized through an unlawful warrantless arrest and search.
2. Whether the CA erred in convicting Bacod of qualified unlawful possession of firearms and ammunition despite claims of insufficient proof of elements.

### Court's Decision:

The SC denied the petition, affirming Bacod's conviction. The Court clarified:

- The legality of Bacod's arrest, based on the principle of a search incidental to a lawful arrest. The SC pointed out that the police had probable cause for a warrantless arrest and search due to immediate circumstances.
- The admissibility of the seized items (firearm and grenade), countering Bacod's assertions

of their seizure from an unlawful arrest.

- That the prosecution adequately proved the elements of illegal possession of firearms and explosives beyond reasonable doubt.

### Doctrine:

- **\*\*Searches Incidental to a Lawful Arrest:\*\*** A warrantless search and seizure conducted as part of, or immediately following, a lawful arrest are permissible under Philippine law.

- Probable cause in the context of a warrantless arrest is determined from the perspective of the police officers at the moment, based on the immediacy and circumstances witnessed.

### Class Notes:

- Illegal Possession of Firearms (RA 10591) and Explosives (PD 1866 as amended by RA 9516) requires proof of (a) possession of the item(s) and (b) absence of the appropriate license or authority.

- Probable cause for warrantless arrest: A reasonable ground of suspicion supported by circumstances sufficiently strong to warrant a reasonable belief that the person arrested has committed the offense.

- Searches incidental to lawful arrests and the concept of “hot pursuit” as exceptions to the warrant requirement.

### Historical Background:

The case reflects the stringent legal framework in the Philippines regarding the unauthorized possession of firearms and explosives. Through the enactment of RA 10591 and amendments to PD 1866 via RA 9516, the Philippines has reinforced penalties and regulatory measures concerning firearms and explosives’ control, reflecting broader efforts to address security concerns and criminal activities involving such items.