

### Title:

**\*\*People of the Philippines v. Aurelio Bandula\*\***

### Facts:

On the night of January 27, 1986, six armed men invaded the Polo Coconut Plantation in Tanjay, Negros Oriental. Security Guard Antonio Salva and Chief of Security and General Foreman Leoncio Pastrano were subdued, hog-tied, and robbed of their personal belongings. Subsequently, the assailants entered the house of Atty. Juanito Garay, the Plantation Manager, ransacked it for valuables, and abducted Garay. His body, bearing three gunshot wounds, was later found outside the plantation's gate.

Aurelio Bandula, together with Pantaleon Sedigo, Teofilo Dionanao, and Victoriano Ejan, was charged with robbery with homicide. Following the trial, where twelve prosecution and nine defense witnesses were heard, on May 5, 1989, the Regional Trial Court found only Bandula guilty, citing confessions, purported admissions, and recovery of stolen items and alleged murder weapon as evidence. The three co-accused were acquitted due to insufficient evidence.

Bandula appealed, challenging the admissibility and voluntariness of the confessions, asserting they were obtained under duress and without proper legal representation.

### Issues:

1. Were the extrajudicial confessions of Bandula and Dionanao admissible in evidence given the conditions under which they were obtained?
2. Was there a violation of the constitutional rights of the accused during custodial investigation, particularly regarding the right to counsel and freedom from torture or intimidation?
3. Could the identification of Bandula by witness Salva stand as sufficient evidence for conviction?

### Court's Decision:

The Philippine Supreme Court reversed the trial court's decision, leading to Bandula's acquittal. The Court found:

- The extrajudicial confessions were obtained in violation of the constitutional rights of the accused, specifically under circumstances of duress and without the presence of truly independent counsel.
- The supposed independency of the municipal attorney, Atty. Ruben Zerna, who was

supposed to have assisted the accused during their confession, was questionable due to potential conflicts of interest.

- The prosecution failed to prove Bandula's guilt beyond a reasonable doubt, particularly questioning the credibility of the lone witness (Salva) identification amidst contradictory testimonies.

### ### Doctrine:

The Supreme Court reiterated the doctrine that any statement obtained in violation of the constitutional rights during custodial investigation, specifically without proper notification of rights and absence of independent counsel, is inadmissible in evidence. Also, the Court highlighted the need for counsel to be truly independent and not in a position that could present a conflict of interest.

### ### Class Notes:

- **Criminal Procedure: Custodial Investigation Rights.** The accused must be informed of their rights to remain silent and to counsel. Any waiver of these rights must be in writing and made in the presence of counsel.

- **Evidence: Admissibility of Confessions.** A confession obtained without compliance with constitutional safeguards (informed of rights, presence of independent counsel) is inadmissible.

- **Constitutional Law: Right to Independent Counsel.** The counsel assisting an accused during custodial investigation must be independent and free from conflict of interest.

- **Criminal Procedure: Identification Evidence.** The credibility of identification evidence can be undermined by contradictory testimonies and failure to follow proper procedures.

### ### Historical Background:

This case highlights issues surrounding custodial investigations and the mistreatment of suspects, reflecting the judiciary's role in upholding constitutional rights against procedural improprieties and abuses by law enforcement agencies. It underscores the importance of the safeguards provided in the 1987 Philippine Constitution for individuals under investigation for the commission of offenses.