

**\*\*Title:\*\*** \*People of the Philippines vs. Benny Go\*

**\*\*Facts:\*\***

The case revolves around Benny Go, accused of illegal possession of 204 grams of methamphetamine hydrochloride (shabu). On June 14, 1999, a police team executed a search warrant at Go's residence in Manila, allegedly discovering the prohibited substance along with various other items, including a vehicle, documents, and foreign currency. The search, which led to Go's arrest, is marred by procedural irregularities, including the forcible entry into Go's residence, the undue handcuffing of his son, the seizure of items not listed in the warrant, and the lack of a complete inventory of seized items. The trial court convicted Go, imposing reclusion perpetua and a fine.

**\*\*Procedural Posture:\*\***

The case reached the Supreme Court on direct appeal after the Regional Trial Court of Manila found Go guilty, and his motion for reconsideration was denied. Go contested the legality of the search operation and the seizure of evidence, questioning the regularity of the police's performance of their duty.

**\*\*Issues:\*\***

1. Whether the search of Go's residence was conducted in violation of his constitutional rights against unreasonable searches and seizures.
2. Whether the evidence obtained was admissible.
3. Whether the seized items not described in the search warrant should be returned to Go.

**\*\*Court's Decision:\*\***

The Supreme Court unanimously reversed the trial court's decision. It found significant procedural lapses in the search operation, notably the police's failure to adhere to lawful search and seizure procedures, the lack of a detailed inventory of seized items, and the seizure of items not described in the search warrant. The Court held that these irregularities rendered the search unreasonable and the seized items inadmissible as evidence. Consequently, Go's conviction was overturned, and he was acquitted. The Court also ordered the return of personal documents, vehicle, and paraphernalia not specifically described in the search warrant, with exceptions for counterfeit items.

**\*\*Doctrine:\*\***

- The stringent requirements for lawful searches and seizures, as delineated in the Constitution and reiterated in jurisprudence, must be scrupulously observed. Any deviation

negates the presumption of regularity in the performance of official duties.

- Evidence obtained in violation of such constitutional safeguards is deemed inadmissible (exclusionary rule).
- The plain view doctrine, allowing seizure of evidence without a warrant, applies only when the incriminating nature of the object is immediately apparent. This did not apply in Go's case, given the procedural missteps and the non-obvious illegal nature of the other seized items.

**\*\*Class Notes:\*\***

- For a search to be valid, it must adhere to constitutional and statutory provisions, particularly the requirement for a search warrant to particularly describe the place to be searched and the items to be seized.
- Items not described in the search warrant but seized during the operation generally should be returned to the owner, except if their illegal nature is immediately apparent or they fall within recognized exceptions to the warrant requirement.
- The presumption of regularity in police actions does not apply when there's a clear infringement of constitutional rights.
- The acquittal of an accused based on the inadmissibility of improperly seized evidence highlights the judiciary's role in protecting constitutional rights against unreasonable searches and seizures.

**\*\*Historical Background:\*\***

The case exemplifies the judiciary's vigilant protection of constitutional rights against unreasonable searches and seizures in the Philippines, reaffirming its commitment to uphold due process and the rule of law in the face of procedural irregularities by law enforcement. It emphasizes the importance of strict compliance with legal requisites in criminal investigations and the impermissibility of deviating from established legal standards, even in the pursuit of enforcing drug-related offenses.