

**\*\*Title:\*\*** \*People of the Philippines vs. Nazareno Villareal y Lualhati\*

**\*\*Facts:\*\*** On December 25, 2006, PO3 Renato de Leon observed Nazareno Villareal y Lualhati scrutinizing a plastic sachet of shabu while patrolling along 5th Avenue. Recognizing Villareal from a previous arrest related to illegal drug possession, PO3 De Leon approached Villareal, who attempted to flee but was eventually apprehended with assistance from a bystander. Upon arrest, PO3 de Leon confiscated the sachet of shabu and proceeded with Villareal to the police station, where the sachet was marked. Following the protocol, the sachet was submitted to the PNP Crime Laboratory, where it tested positive for methylamphetamine hydrochloride. Consequently, Villareal was charged with illegal possession of dangerous drugs under Section 11, Article II of RA 9165.

Villareal entered a not guilty plea and contended that he was unjustly apprehended and assaulted by PO3 de Leon and other police personnel, claiming a fabricated charge against him. The Regional Trial Court (RTC) of Caloocan City convicted Villareal, basing its decision on the credibility of PO3 de Leon's account and the application of the plain view doctrine, despite Villareal's claims of denial and frame-up. The decision was affirmed in full by the Court of Appeals (CA), which recognized the warrantless arrest as lawful under in flagrante delicto provisions due to Villareal's suspicious behavior and attempt to flee.

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

1. Whether the CA erred in affirming the RTC's decision convicting Villareal based on a lawful warrantless arrest.
2. Whether the conditions for a lawful in flagrante delicto arrest were satisfied.
3. The validity and sufficiency of the identification and custody of the seized illegal substance.

**\*\*Court's Decision:\*\*** The Supreme Court reversed the CA and RTC's decisions and acquitted Villareal. The Court found that the warrantless arrest did not satisfy the requirements under Section 5, Rule 113 of the Revised Rules of Criminal Procedure because PO3 de Leon could not have possibly identified the substance as shabu from 8-10 meters away while on a moving motorcycle. The Supreme Court highlighted that mere suspicion or previous arrests for the same offense do not justify a warrantless arrest without clear, overt acts indicating that a crime has been committed in the officer's presence. Thus, without a lawful arrest, any evidence obtained (the sachet of shabu) was deemed inadmissible.

**\*\*Doctrine:\*\*** The legality of a warrantless arrest hinges on strict compliance with the

conditions specified under Section 5, Rule 113 of the Revised Rules of Criminal Procedure. Without the requisite lawful basis for the arrest, any evidence obtained as a result thereof is inadmissible in court, being a fruit of a poisonous tree.

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

- **\*Warrantless Arrest Criteria:\*** For a warrantless arrest to be valid under Section 5, Rule 113, it must be based on probable cause with the offender committing an act in the presence of the officer signifying that a crime has been, is being, or is about to be committed.
- **\*Fruit of the Poisonous Tree Doctrine:\*** Evidence obtained through rights violations are inadmissible.
- **\*Concept of Probable Cause:\*** Requires a reasonable ground of suspicion, supported by circumstances warranting the belief that the accused is guilty of the offense.

**\*\*Historical Background:\*\*** This case emphasizes the stringent requirements for conducting a lawful warrantless arrest as well as the inadmissibility of evidence garnered through violations of these procedures, reflecting the Philippine judiciary's commitment to upholding civil liberties and the constitutional rights against unreasonable searches and seizures.