

**\*\*Title: People of the Philippines vs. Cesaria Basio Vertudes and Henry Basio Vertudes\*\***

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

The accused-appellants, Cesaria Basio Vertudes (Cesaria) and Henry Basio Vertudes (Henry), faced charges for the sale and possession of Methamphetamine Hydrochloride under Republic Act No. 9165 (RA 9165). The case stemmed from a buy-bust operation conducted on April 17, 2010, in Parañaque City. According to the prosecution, Police Officer PO2 Elbert Ocampo, acting as a poseur buyer, managed to transact with Henry, who then conferred with his mother, Cesaria, resulting in the sale of two heat-sealed transparent plastic sachets containing the said illegal drug. The police arrested both Cesaria and Henry subsequently.

The case proceeded through the legal system with both accused pleading not guilty. At the Regional Trial Court (RTC), they were convicted of the said charges. Their appeal at the Court of Appeals (CA) reaffirmed the RTC decision. Dissatisfied, they appealed to the Supreme Court under Section 13(c), Rule 124 of the Rules of Court. Throughout these stages, various motions and petitions were filed to contest the allegations and procedural lapses by law enforcement officers, particularly regarding the strict custody chain of the seized drugs as mandated by law.

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

The central legal issue revolves around whether the guilt of Cesaria for violating Sections 5 and 11 of RA 9165 (sale and possession of dangerous drugs, respectively) and Henry for violating Section 5 of RA 9165 was proven beyond reasonable doubt, especially considering the alleged failure to comply with mandatory requirements of Section 21 of RA 9165 on the custody and control of seized dangerous drugs.

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

The Supreme Court found the appeal meritorious, highlighting the prosecution's failure to establish an unbroken and compliant chain of custody over the seized drugs, integral to maintaining the integrity of the evidence. Specifically, the Supreme Court pointed out procedural lapses such as the failure of the buy-bust team to comply with Section 21 of RA 9165: the immediate inventory and photographic documentation of seized items in the presence of specified witnesses (the accused or representative, an elected public official, a representative from the media, and a representative from the DOJ).

Due to these lapses and the absence of justifiable reasons for non-compliance, the Supreme

Court reversed the CA's decision, leading to the acquittal of Cesaria and Henry based on reasonable doubt. The decision emphasized that procedural requirements in handling and custody of seized drugs are critical in ensuring the integrity and evidentiary value of the corpus delicti in drug-related offenses.

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

The integrity and evidentiary value of seized illegal drugs are paramount in drug-related cases, necessitating strict compliance with procedural requirements outlined in Section 21 of RA 9165. Failure to meet these requirements can compromise the prosecution's case, potentially leading to acquittal.

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

1. Corpus Delicti in Drug Cases: The seized illegal drug itself represents the corpus delicti.
2. Chain of Custody: Critical to establish an unbroken chain of custody to maintain the integrity of the evidence.
3. Section 21 of RA 9165: Mandates an immediate inventory and photograph of the seized drugs in the presence of the accused or a representative, an elected public official, a media representative, and a DOJ representative.
4. Consequence of Non-Compliance: Failure to comply with procedural requirements can render the seized evidence questionable, affecting the outcome of the case.
5. Presumption of Innocence: Superior to the presumption of regularity in the performance of official duties. Procedural lapses by law enforcement can't be overlooked due to the presumption of regularity.

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

This case reflects the Philippine judiciary's stringent standards concerning drug enforcement procedures and evidentiary requirements. It underscores the balance between law enforcement's objectives in combating illegal drug trade and the protection of individual rights through due process. This decision reiterates the importance of procedural compliance to uphold the integrity of the legal system and ensure that justice prevails.