

### Title: People of the Philippines vs. Mari Musa y Hantatalu

### Facts:

On December 14, 1989, in Zamboanga City, Philippines, Mari Musa was apprehended for selling two wrappers of dried marijuana leaves to Sgt. Amado Ani Jr., a poseur-buyer, who was acting under the directives of T/Sgt. Jesus Belarga of the 9th Narcotics Command (NARCOM). Musa, not authorized by law to sell such substances, faced charges under the Dangerous Drugs Act of 1972. He pled not guilty upon arraignment.

The prosecution's case was built on the testimonies of Sgt. Ani, who detailed the buy-bust operation leading to Musa's capture, T/Sgt. Belarga, the operation's leader, and Mrs. Athena Elisa P. Anderson, a forensic chemist who confirmed the seized substances were marijuana. Musa, presenting himself and his wife as witnesses, claimed the search was conducted without a warrant, and he was subjected to physical coercion.

The case proceeded through the legal system, culminating in a decision by the Regional Trial Court (RTC) of Zamboanga City, which found Musa guilty, sentencing him to life imprisonment and a fine of P20,000. Musa's appeal to the Supreme Court centered on questioning the credibility of prosecution witnesses and the legality of the search that produced additional marijuana evidence from his kitchen.

### Issues:

1. Whether the testimony of the prosecution's witnesses, especially Sgt. Ani, was credible.
2. Whether the buy-bust operation was conducted lawfully.
3. Whether the seizure of additional marijuana from Musa's kitchen violated his constitutional rights against unreasonable searches and seizures.

### Court's Decision:

The Supreme Court, upholding the trial court's decision, dismissed the appeal. It found Sgt. Ani's testimony credible, direct, and uncontradicted, deeming the buy-bust operation to have been conducted within legal bounds. However, the Court held that the seizure of the additional marijuana from Musa's kitchen was not covered by the "plain view" doctrine, as it did not occur incident to a lawful arrest nor was it immediately apparent that the plastic bag contained prohibited drugs. Despite this, the exclusion of the unlawfully seized evidence did not affect the overall guilt of Musa, which was established beyond a reasonable doubt through lawful and credible evidence.

### Doctrine:

1. A lawful arrest allows for warrantless search and seizure as an incident, limited to dangerous weapons or anything which may be proof of the commission of an offense.
2. The “plain view” doctrine applies when the incriminating nature of an object is immediately apparent to the law enforcement officers conducting a lawful search.

### Class Notes:

- **Credibility of Witnesses:** The testimony of law enforcement officers involved in a buy-bust operation can be deemed credible if it is direct, lucid, and consistent.
- **Buy-Bust Operations:** Lawful buy-bust operations do not require the officers to be personally known to the suspect or for the transaction to have witnesses other than the involved parties.
- **Warrantless Searches:** Incident to a lawful arrest, officers may conduct a warrantless search of the person arrested and the immediate control area.
- **“Plain View” Doctrine:** For an object seized without a warrant to be admissible, its incriminating nature must be immediately apparent to the officers at the moment of the seizure.

### Historical Background:

The case reflects the stringent anti-narcotics efforts in the Philippines during the late 20th century, underpinned by Republic Act No. 6425, or the Dangerous Drugs Act of 1972. It underscores the legal and procedural nuances involved in drug enforcement operations, particularly the balance between effective narcotics control and the protection of constitutional rights against unreasonable searches and seizures.