

Title:

People of the Philippines v. Amador Pastrana and Rufina Abad

Facts:

The case commenced on 26 March 2001 when National Bureau of Investigation (NBI) Special Investigator Albert Froilan Gaerlan filed a sworn application for a search warrant at the RTC Makati City, Branch 63. The application intended to search the office premises of Amador Pastrana and Rufina Abad, who were suspected of engaging in a scheme to defraud foreign investors. The operation involved convincing prospects to invest in non-existent shares, directing proceeds into their personal accounts and operational costs instead of purchasing the shares promised. On the basis of this application, supported by affidavits and evidence such as a sketch of the location, Judge Tranquil Salvador Jr. issued Search Warrant No. 01-118 for violations under the Revised Penal Code (RPC) and Republic Act (R.A.) No. 8799 or the Securities Regulation Code (SRC).

Execution of this warrant followed on 27 March 2001, yielding significant documentary finds evidencing the fraudulent operation. However, Rufina Abad contested the validity of the search warrant through a motion to quash, arguing the violation of the rule against issuing warrants for more than one offense and lack of specificity in describing the objects to be seized. Abad also moved for Judge Salvador Jr.'s inhibition after experiencing delays in the action on her motion. Subsequently, the case was reassigned to the RTC Makati City, Branch 58.

Issues:

1. Whether the Court of Appeals erred in affirming the Regional Trial Court's decision quashing Search Warrant No. 01-118 for covering two offenses, thereby contravening the one specific offense rule.
2. Whether Search Warrant No. 01-118 failed to particularly describe the items to be seized.

Court's Decision:

The Supreme Court upheld the CA's decision, affirming the quashing of Search Warrant No. 01-118. It agreed that the warrant was issued in connection with more than one offense (violation of R.A. 8799 and estafa under the RPC), violating the "one specific offense" rule essential for the validity of a search warrant. Moreover, the Court found that the warrant lacked the requisite specificity in describing the objects to be seized, rendering it invalid.

The Court differentiated between the intertwined nature of the alleged offenses and

concluded that they were distinct, not necessarily comprising or included within each other. The operations described did not explicitly indicate respondents acted unregistered as brokers or dealers, which is essential for a violation under Section 28.1 of the SRC. Without identifying a specific offense under the SRC and due to the broad nature of estafa, the warrant was deemed in violation of the procedural prerequisites.

Doctrine:

A search warrant must be issued in connection with one specific offense, adhering to the constitutional and procedural mandates of probable cause and specificity in the description of the place to be searched and the objects to be seized. Violation of this requirement results in the nullification of the search warrant and the inadmissibility of obtained evidence in any proceeding.

Class Notes:

- **One Specific Offense Rule**: A search warrant must connect directly to one specific offense for its issuance, emphasizing the need for specificity in probable cause.
- **Probable Cause**: Determined by factual circumstances leading a reasonably discreet and prudent person to believe that an offense has been committed and that items related to the offense are located at the place to be searched.
- **Doctrine of Particularity**: The objects or items described in the search warrant must be specific enough to eliminate discretionary seizures by executing officers and must bear a direct relation to the offense involved.
- **Inadmissibility of Illegally Seized Evidence**: Evidence obtained through a search warrant issued in violation of constitutional and statutory requirements is not admissible for any purpose in any proceeding.

Historical Background:

This case underscores the judicial commitment to safeguarding constitutional rights against unreasonable searches and seizures in the Philippines. The debate centered on procedural safeguards established to protect against the issuance of general warrants, reflecting the judiciary's role in the balance between law enforcement and constitutional rights. The decision reiterates fundamental principles guiding the issuance of search warrants, indicative of the broader legal context concerning rights to privacy and the inviolability of domicile.