

Title: ****Mario Nisperos y Padilla vs. People of the Philippines****

Facts:

This case involves petitioner Mario Nisperos y Padilla who was charged with violation of Section 5, Article II of Republic Act (R.A.) No. 9165, also known as the Comprehensive Dangerous Drugs Act of 2002, for selling 0.7603 grams of methamphetamine hydrochloride (shabu) during a buy-bust operation conducted by the Philippine National Police (PNP) in Tuguegarao City. The operation was pre-planned based on information supplied by a confidential informant about a certain “Junjun” selling shabu. During the operation, Nisperos handed a sachet of shabu to PO1 Michael Turingan, the poseur buyer, and was consequently arrested. The inventory of the confiscated item was conducted half an hour later due to the late arrival of one of the mandatory witnesses, DOJ representative Ferdinand Gangan. The Regional Trial Court (RTC) found Nisperos guilty, a verdict which was upheld by the Court of Appeals (CA). Nisperos then raised the matter to the Supreme Court under a Petition for Review on Certiorari, questioning compliance with the chain of custody rule among other issues.

Issues:

1. Whether the Court of Appeals erred in considering that the mandatory witnesses to the inventory were adequately present during the buy-bust operation.
2. Whether the delay in the conduct of the marking and inventory of the confiscated item compromised the integrity of the evidence.
3. Whether the chain of custody was properly observed in the handling of the seized shabu.

Court’s Decision:

The Supreme Court granted the petition, reversed the decisions of the CA and the RTC, and acquitted Nisperos. The Court emphasized the importance of strict adherence to the “chain of custody” rule as outlined in Section 21 of R.A. 9165, as amended. It was held that the buy-bust team failed to conduct an immediate marking and inventory of the seized items in the presence of all required witnesses, creating doubt on the integrity of the evidence. The Court underscored that the witnesses must be “readily available” to witness the proceedings and that any deviation without justifiable grounds risks compromising the evidentiary value of the seized items.

Doctrine:

The presence of mandatory witnesses during the immediate inventory and marking of seized drugs in buy-bust operations is crucial to establish the chain of custody and ensure the

integrity of the evidence. Non-compliance with this requirement, without a justifiable reason, can lead to the acquittal of the accused due to reasonable doubt regarding the integrity of the seized items.

Class Notes:

- Chain of Custody in Drug Cases: Requires an unbroken trail that accounts for the custody, transfer, analysis, and disposition of the evidence (i.e., illegal drugs).
- Section 21, R.A. 9165, as amended: Outlines specific procedural safeguards in handling seized drugs, emphasizing immediate inventory and marking in the presence of mandatory witnesses.
- Doctrine of “Readily Available” Witnesses: Mandatory witnesses need not witness the arrest itself but must be readily available to witness the immediate inventory and marking of seized items.
- Deviation from Chain of Custody Rule: Any deviation from the prescribed procedures without justifiable ground renders the seizure and custody of the items void and invalid, potentially leading to the acquittal of the accused.

Historical Background:

The strict chain of custody requirement was instituted in response to concerns about the tampering, alteration, or substitution of seized illegal drugs, ensuring that the evidence presented in court is untainted and reliable. The evolution of jurisprudence on drug-related offenses emphasizes safeguarding the rights of the accused while upholding law enforcement integrity.