

****Title:**** *Soriano Mata v. Hon. Josephine K. Bayona et al.*

****Facts:****

This case involves the petitioner, Soriano Mata, challenging the validity of a search warrant issued by the respondent Judge, Hon. Josephine K. Bayona, for the alleged non-compliance with constitutional and legal requisites, specifically pertaining to the process of issuance and documentation related to the search warrant. The charge against Mata stemmed from his involvement in the unauthorized sale of “Masiao tickets,” betting arrangements for the Jai Alai game, violating PD 810 as amended by PD 1306. The procedural journey began when Mata was accused and subsequently discovered the search warrant and related documents were not part of the Criminal Case No. 4298-CC’s records, prompting him to request these documents from the City Fiscal, only to find the required examination and deposition procedures were purportedly not followed as per the Rules of Court. Responding to this, Mata filed a motion to quash the search warrant and for the return of seized articles, which was denied by Judge Bayona. Mata’s motion for reconsideration was also denied, leading him to elevate the issue to the Supreme Court.

****Issues:****

1. Whether the search warrant issued by the respondent Judge was constitutionally and legally valid, particularly regarding the examination and deposition of complainants and witnesses.
2. Whether the failure to attach pertinent documents to the criminal case records invalidated the search warrant.
3. Whether the seized items under the disputed search warrant could be returned to the petitioner.

****Court’s Decision:****

The Supreme Court declared the search warrant invalid due to violations of constitutional and statutory requirements for issuing a search warrant. The Court emphasized the necessity of a judge’s personal examination of the complainant and witnesses under oath or affirmation, alongside the written deposition of such examination, to determine probable cause—requirements that were not met in Mata’s case. The Court critiqued the respondent Judge’s reasoning for not taking depositions in writing as an attempt to maintain the secrecy of the operation, deeming it insufficient justification for bypassing statutory mandates. Consequently, the orders denying Mata’s motions were reversed. However, the Court ruled that despite the illegality of the search warrant, the seized items, being contraband, could not be returned to Mata.

****Doctrine:****

The issuance of a search warrant demands strict adherence to constitutional and statutory requirements, specifically the necessity for a judge's personal examination of the complainant and witnesses under oath and the creation and attachment of written depositions to ascertain probable cause. Any deviation renders the warrant invalid. Nonetheless, seized items that are illegal to possess cannot be returned even if obtained through an invalid search warrant.

****Class Notes:****

- ****Constitutional Requirement for Search Warrants:**** A search warrant must be issued based on probable cause, determined personally by a judge after an examination under oath of complainants and witnesses, ensuring respect for individuals' rights against unreasonable searches and seizures.
- ****Statutory Provisions for Documenting Search Warrants:**** Detailed written depositions of the judge's examination must be attached to the record, a process aimed at establishing probable cause and holding individuals accountable for perjury if false declarations are made.
- ****Illegality of Seized Items:**** Despite the procedural illegality of a search warrant's issuance, items confiscated that are illegal to possess do not warrant return to the petitioner, emphasizing the judiciary's stance against enabling unlawful activities.

****Historical Background:****

This case underscores the judiciary's role in balancing law enforcement objectives with the protection of constitutional rights, particularly in situations involving illegal gambling operations. It highlights the intricacies involved in judicial processes and the imperative for judges to meticulously adhere to constitutional and statutory mandates, illustrating the tension between criminal justice objectives and individual rights safeguards in the Philippines.