

Title: People of the Philippines vs. Redentor Dichoso y Dagdag

Facts:

This case stemmed from two informations filed against Redentor Dichoso and his wife Sonia Dichoso y Vinerable for the illegal sale and delivery of methamphetamine hydrochloride (shabu) and marijuana, in violation of the Dangerous Drugs Act of 1972 (R.A. No. 6425), as amended. The accused Jaime Pagtakhan was charged with the illegal possession of a regulated drug in a separate information. Following a joint trial, the Regional Trial Court (RTC) of San Pablo City found Redentor Dichoso guilty beyond reasonable doubt, sentencing him to suffer the penalty of reclusion perpetua and pay fines in Criminal Case No. 6711-SP(91) and No. 6712-SP(91).

The arrest was the result of a search and seizure operation conducted upon issuance of Search Warrant No. 028, following a report by Narcotics Command agents who, after sufficient examination, believed that the Dichosos were in possession of an undetermined quantity of shabu and marijuana. During the search, around 200 grams of suspected marijuana and quantities of suspected shabu were recovered. The defendants, along with seized items, were accordingly brought to the NARCOM station for further investigation.

The condemnation was significantly based on the evidence collected during the search and seizure operation, notwithstanding Redentor Dichoso's appeal which argued the illegality of the search warrant, the evidence being planted, and his lack of ownership over the searched premises and the seized items.

Issues:

1. Was Search Warrant No. 028 legally issued and executed, given the dichotomy in offenses specified in the Dangerous Drugs Act?
2. Is the evidence of shabu and marijuana possession legally admissible if believed to be obtained through an improperly executed search warrant?
3. Were the extrajudicial confessions or statements (Exhibits "B," "C," and "D") made without the presence of legal counsel admissible in court?
4. Can the accused be found guilty of the sale of drugs despite not being caught in the act but based on confiscated items and a notebook indicating transactions (Exhibit "F")?
5. Did the ownership over the nipa house, where the drugs were found, affect the legality of the search and seizure operation?

Court's Decision:

The Supreme Court modified the decision of the Regional Trial Court. It held the search warrant to be valid because it specifically designated the place to be searched and the items to be seized. Moreover, the Court found Dichoso guilty beyond reasonable doubt of illegal possession of dangerous drugs, adjusting its perspective from the RTC's ruling which pegged the crime on drug sale. Dichoso was sentenced to imprisonment from 8 to 12 years for each of the charges, deviating from the trial court's imposition of *reclusion perpetua*, highlighting procedural correctness in the seizure and admissibility of evidence despite contestations regarding the propriety and execution of the search warrant. The Court deemed Dichoso's appeal on extrajudicial statements as partly meritorious, noticing the infringement of his constitutional rights, but nonetheless upheld the legitimacy of the seizure under the doctrines of plain view and the inclusion of necessary crimes.

Doctrine:

1. A single search warrant can validly issue against offenses pertaining to illegal possession of different types of drugs under the Dangerous Drugs Act, provided the offenses are closely related or belong to the same class or species.
2. The "plain view" doctrine allows the seizure of objects not specified in the search warrant if they are in plain view of the officer executing the warrant and if the officer has a lawful right to access the object.

Class Notes:

- ****Search Warrant****: Must specify precisely the place to be searched and the things to be seized.
- ****Possession and Sale of Dangerous Drugs****: Conviction requires unequivocal and positive evidence of either the transaction or illegal possession.
- ****Indeterminate Sentence Law****: In non-Code offenses, prescribes a minimum and maximum term to be served.
- ****Plain View Doctrine****: Items not listed in the search warrant can be seized if they are in plain view and the officer is lawfully present.
- ****Constitutional Rights during Custody****: Statements made without the presence of counsel are inadmissible, except for spontaneous statements not elicited through questioning.

Historical Background:

This case reflects the strict enforcement of the Dangerous Drugs Act in the Philippines and the judiciary's interpretation of law enforcement actions, emphasizing the balance between the state's interest in curbing illegal drug activities and the protections afforded to

individuals under the Constitution.