

### Title:

**\*\*People of the Philippines vs. Chi Chan Liu a.k.a. Chan Que and Hui Lao Chung a.k.a. Leofe Senglao\*\***

### Facts:

On December 3, 1998, in Occidental Mindoro, Philippines, police received a tip about a suspicious boat near Ambil Island. Upon investigation, they found two boats transferring cargo, which led to the discovery and arrest of Chi Chan Liu and Hui Lao Chung in possession of large quantities of suspected “shabu” (methamphetamine hydrochloride). The appellants were unable to present identification or explain their presence in Philippine territory.

Following procedures including coordination with higher police authorities, inspection, and chemical analysis confirmed the substance as methamphetamine hydrochloride. The appellants, identified as Chinese nationals, were then charged with violating the Dangerous Drugs Act of 1972, as amended, specifically the importation of regulated drugs.

During the trial, both the prosecution and defense presented their evidence, with the prosecution focusing on the apprehension and the substance’s analysis, while the defense suggested a setup by alleging the drugs were found in another location. The RTC found the appellants guilty beyond reasonable doubt, a decision later affirmed by the Court of Appeals, leading to the case being brought to the Supreme Court.

### Issues:

1. Whether all elements of the crime of importation of regulated drugs were present.
2. Whether the corpus delicti of the crime charged was established beyond reasonable doubt.
3. Whether the presumption of regularity in official functions can override constitutional guarantees.
4. Whether the arraignment of appellants was valid.
5. Whether the guilt of appellants was proven beyond reasonable doubt.

### Court’s Decision:

The Supreme Court found merit in the appellants’ argument that the importation element was not established due to lack of evidence showing the drugs were brought from a foreign country. However, the Court affirmed the appellants’ criminal liability for possession of the regulated drug. The CA’s decision was affirmed with modification to convict the appellants

for illegal possession of regulated drugs.

### Doctrine:

- Illegal possession of regulated drugs is inherently included in the charge of importation of such drugs.
- Plain view doctrine applies when evidence was inadvertently discovered by law enforcement officers lawfully in a position from which they can view the area.

### Class Notes:

- Elements of drug possession crimes include: (a) the accused's possession of a regulated drug, (b) such possession is unauthorized, and (c) the accused's conscious possession of the drug.
- Proof of importation requires showing that drugs came from a foreign source, which was not established in this case.
- The "plain view" doctrine allows the seizure of evidence without a warrant if it is immediately apparent to the officer as evidence of a crime.

### Historical Background:

This case highlights the procedural and evidentiary challenges in prosecuting drug smuggling and possession cases, as well as the intricacies of Philippine drug laws and constitutional protections against unreasonable search and seizure. It underscores the balance between upholding law enforcement's authority and protecting individual rights, set against the backdrop of ongoing efforts to curb drug trafficking and abuse within the Philippines.