

Title

****People of the Philippines vs. Hon. Judges Amante P. Purisima, Maximo A. Maceren, and Wenceslao M. Polo, et al.****

Facts

This Supreme Court case consolidates twenty-six Petitions for Review filed by the People of the Philippines involving three Courts of First Instance (CFI). Here are the crucial details:

1. ****Parties:****

- Petitioner: The People of the Philippines, represented by the Office of the City Fiscal of Manila, the Office of the Provincial Fiscal of Samar, joined by the Solicitor General.
- Respondents: Judges Amante P. Purisima (CFI, Manila, Branch VII), Maximo A. Maceren (CFI, Manila, Branch XVIII), and Wenceslao M. Polo (CFI, Samar) along with the accused individuals in the respective criminal cases.

2. ****Charges:****

- The accused are charged with “illegal possession of deadly weapon” under Presidential Decree No. 9 (PD 9).

3. ****Events:****

- ****Judge Purisima’s Proceedings:****
 - Example Case: L-42050-66 - Information accused Porfirio Candelosas of possessing a carving knife outside his residence, not used as a tool for earning a livelihood.
- ****Judge Maceren’s Proceedings:****
 - Example Case: L-46229-32 - Information accused Reynaldo Laqui of carrying an ice pick outside his residence under similar conditions.
- ****Judge Polo’s Proceedings:****
 - Example Case: L-46997 - Information accused Panchito Refunción of carrying a socyatan, a deadly weapon, under similar conditions.

4. ****Motions to Quash:****

- The accused filed motions to quash on the grounds that the Informations did not allege that carrying the weapon was related to subversion, rebellion, or public disorder, as required by PD 9.

5. ****Orders of Dismissal:****

- The respective Judges quashed or dismissed the Informations citing that they failed to allege facts constituting the critical element of the offense under PD 9 - that the act was

related to subversion/rebellion.

6. **Petitioner's Argument:**

- The Government argued that PD 9 creates a malum prohibitum offense and, therefore, the intent or relation to subversive activities is immaterial.

Issues

1. **Whether the Informations filed under PD 9 sufficiently alleged the necessary elements to constitute the offense of illegal possession of deadly weapon.**
2. **Whether the trial courts correctly dismissed the charges on the ground that the Informations did not allege the connection of carrying the weapon with subversion or similar acts.**
3. **Whether the Government could have pursued alternative remedies like amending the Informations or charging the accused under different applicable laws/statutes.**

Court's Decision

1. **Sufficiency of the Informations:**

- The Court ruled that for Informations filed under PD 9 to be sufficient, they must allege both the carrying of a deadly weapon outside one's residence and that this act was in furtherance of or connected with subversion, rebellion, lawless violence, or public disorder. This two-fold requirement is crucial to constitute the offense under PD 9.

2. **Applicability of Malum Prohibitum:**

- The Court rejected the Government's argument that PD 9 creates a malum prohibitum offense (where the mere act is an offense regardless of intent). The Court emphasized that the legislative intent, as evidenced by the "whereas" clauses, was to curb activities related to martial law exigencies such as subversive activities. Thus, intent or connection to such activities is necessary to constitute an offense under PD 9.

3. **Alternative Remedies:**

- The Court noted that the prosecution could have filed amended Informations including the necessary element of connection with subversion, or charged the accused under other applicable statutes like Section 26 of Act No. 1780 or the Manila City Ordinance No. 3820, which do not require such elements.

Doctrine

The doctrine established here underscores that if a statute is penal and its terms are ambiguous, it must be interpreted strictly in favor of the accused. The Court reiterated that

any criminal charge must comprehensively allege all essential elements of the offense to be valid.

Class Notes

- **Key Elements and Concepts:**

1. **Sufficiency of Charges:** Specific statutory provisions must be clearly stated in the charge.
2. **Essential Elements:** All essential elements of the offense must be included in the Information.
3. **Intent vs. Malum Prohibitum:** Merely committing a proscribed act (malum prohibitum) may not suffice if the statute involves a specific intent or related activity.
4. **Strict Construction of Penal Statutes:** Penal laws are to be construed strictly against the state and liberally in favor of the accused.

- **Provisions:**

- **PD 9, Sec. 3:** “It is unlawful to carry outside of residence any bladed, pointed or blunt weapon such as ‘fan knife,’ ‘spear,’ ‘dagger,’ ‘bolo,’ ‘balisong,’ ‘barong,’ ‘kris,’ or club, except where such articles are being used as necessary tools or implements to earn a livelihood and while being used in connection therewith.”

- **Act No. 1780, Sec. 26:** Similar to PD 9 but does not require the element of furtherance of subversion, etc.

- **Manila Ordinance No. 3820:** Penalizes carrying concealed weapons without specific context to subversive activities.

Historical Background

- **Context:** PD 9 was promulgated under martial law declared by President Ferdinand Marcos via Proclamation No. 1081 in 1972. This legal context aimed to suppress subversion, rebellion, and lawlessness. The Court’s interpretation was guided by the overarching intent to curtail specific societal threats rather than criminalize generalized conduct unrelated to subversion or rebellion.