

Title: People of the Philippines vs. Elmer Nillos y Palsario

Facts:

On May 22, 1980, Elmer Nillos was apprehended by the Philippine Constabulary Anti-Narcotics Unit (CANU) at Plaza Mart Building, Bacolod City, for selling 37 matchboxes containing marijuana leaves to Enrique Garcia, an informer of the CANU. Enrique Garcia had informed the CANU that Nillos would be delivering the marijuana on that morning. Sgt. Camilo Gonzales and his team of Sergeants Bolivar and Palacios, along with two civilian agents, were strategically positioned and witnessed Nillos handing over a paper bag to Garcia. Nillos was then apprehended, and the bag was found to contain marijuana.

Nillos' extrajudicial confession indicated that he obtained the marijuana from Leon Peña. CANU subsequently arrested Peña on May 23, 1980, based on Nillos' information. Peña's own written statement confirmed his involvement.

The investigation included a detailed process to test the evidence. Initial field tests conducted by Sgt. Gonzales, followed by a chemical analysis at the PC Crime Laboratory in Camp Crame, confirmed the presence of marijuana.

Nillos was charged under Section 4, Article 2, of Republic Act No. 6425 as amended. The Court of First Instance of Negros Occidental found him guilty and sentenced him to imprisonment of twelve (12) years and one (1) day of reclusion temporal to reclusion perpetua as maximum, and to pay a fine of P20,000. Nillos appealed, asserting coercion in obtaining his confession and the purpose of delivering marijuana not for sale, but for analysis.

Procedural Posture:

Nillos' conviction was affirmed by the Intermediate Appellate Court (IAC), which corrected the penalty to life imprisonment as per Section 4, Dangerous Drugs Act, amended by PD 1675. The case was then elevated to the Supreme Court for review.

Issues:

1. Whether Nillos' extrajudicial confession was voluntarily given or obtained through force.
2. Whether the intent of Nillos in possessing the marijuana was for sale or for analysis.
3. The appropriateness of the penalty imposed by the lower court.

Court's Decision:

1. The Supreme Court found no basis for Nillos' claim that his extrajudicial confession was secured through force, highlighting the lack of any complaint filed by Nillos regarding such

coercion. Furthermore, the confession contained details only Nillos could have known, indicating voluntariness.

2. The Court dismissed Nillos' claim of possessing the marijuana for analysis by pointing out the lack of credible corroborative evidence, inconsistency, and incredibility of his story about his mission from the Anti-Communist League of the Philippines. The suspiciously produced documents were also examined and found to be unreliable.

3. The Supreme Court affirmed the IAC's correction of the penalty to life imprisonment. Nillos was found guilty beyond a reasonable doubt of violating Section 4 of the Dangerous Drugs Act.

Doctrine:

The decision reinforced the penal provision under Section 4 of the Dangerous Drugs Act (Republic Act No. 6425 as amended by PD 1675), which mandates life imprisonment to death, and a fine ranging from P20,000 to P30,000 for the sale, delivery, or giving away of prohibited drugs.

Class Notes:

- Sec. 4, R.A. No. 6425 (as amended by PD 1675): Life imprisonment to death for the sale, administration, delivery, or dispatch in transit of any prohibited drug.
- Extrajudicial Confession: Must be voluntary and credible. The absence of complaints about coercion and detailed personal knowledge are indicators of voluntariness.
- Chain of Custody: Proper chain of custody must be followed to ensure the integrity of the seized evidence.

Historical Background:

This case occurred in the context of the Philippine government's heightened efforts to combat illegal drug trade during the late 1970s and early 1980s, marked by stringent laws and severe penalties. The Dangerous Drugs Act of 1972 (Republic Act No. 6425), amended by Presidential Decree No. 1675, reflected this crackdown on narcotics. The decision in this case continued to uphold strict enforcement and severe punitive measures for drug-related offenses.