

### Title:

\*\*People of the Philippines vs. Jose Almodiel alias “Do Dong Astrobal”\*\*

### Facts:

Jose Almodiel was accused of violating Section 5, Article II of Republic Act No. 9165 or The Comprehensive Dangerous Drugs Act of 2002 for selling two sachets of methamphetamine hydrochloride or shabu. The case originated from a buy-bust operation conducted on March 20, 2003, in Butuan City, Philippines. Upon his arraignment, Almodiel pleaded not guilty, leading to a full trial.

During the operation, PO2 Saldino C. Virtudazo acted as the poseur-buyer, while PO3 Arnel P. Lumawag and a confidential agent supported him. Almodiel was identified by the confidential agent, and after agreeing to sell two sachets of shabu to Virtudazo for P400.00, he was arrested post-transaction. The accused was then brought to the PDEA office where the seized items were marked, inventoried, and forwarded for chemical analysis, confirming the substance to be shabu.

The defense’s narrative differed, claiming Almodiel was falsely accused after refusing to buy shabu for an informant named Max. He alleged a subsequent unlawful arrest without witnessing any drug transaction.

The Regional Trial Court of Butuan City convicted Almodiel, a decision which he appealed to the Court of Appeals. The Court of Appeals upheld the RTC’s decision, leading Almodiel to elevate his case to the Supreme Court, arguing issues regarding his arrest, the legality of the search, and the integrity of the drug evidence.

### Issues:

1. Whether Almodiel was caught in flagrante delicto selling the dangerous drugs.
2. The legality of the warrantless arrest and search conducted by the police officers.
3. The admissibility of the shabu as evidence despite alleged procedural lapses in handling the seized items.
4. Establishing the chain of custody to prove the integrity of the drug evidence.
5. Whether Almodiel’s guilt was proven beyond reasonable doubt.

### Court’s Decision:

The Supreme Court dismissed the appeal, affirming the decision of the Court of Appeals and the conviction of Almodiel. The Court held that:

1. The buy-bust operation was conducted properly, with Almodiel caught in flagrante delicto

selling shabu.

2. The warrantless arrest was justified as Almodiel was caught committing a crime, making the subsequent search also lawful.
3. The seized drugs were admissible in evidence, with the Court finding the chain of custody was adequately preserved despite minor procedural lapses.
4. The Supreme Court found no merit in the argument regarding the presentation of marked money, as the transaction and seizure of the drugs were substantiated by credible witnesses.

### ### Doctrine:

The Court reiterated the principle that non-compliance with the procedure prescribed by RA 9165 regarding the handling and custody of seized drugs does not automatically render the seized items inadmissible, provided that their integrity and evidentiary value are preserved.

### ### Class Notes:

- In drug-related cases, the elements required for prosecution include the identity of the buyer and seller, the object and its consideration, and the delivery and payment of the said object.
- A warrantless arrest is justified if the individual is caught in the act of committing an offense.
- The integrity of the chain of custody over drug evidence must be convincingly established to rule out the possibility of tampering, loss, or mistake.
- In cases involving illegal drugs, the presentation of marked money used in buy-bust operations is not indispensable to the prosecution's case as long as the sale of dangerous drugs is proven and the corpus delicti is presented in court.

### ### Historical Background:

This case reflects the Philippine judiciary's stance on ensuring the stringent enforcement of anti-drug laws while also emphasizing the need for adherence to legal procedures in the acquisition and handling of evidence. It underscores the balance between the state's commitment to curbing drug-related offenses and upholding the constitutional rights of individuals against unlawful arrests and searches.