

Title

****People of the Philippines vs. Ronilo Jumarang y Mulingbayan****

Facts

On April 11, 2010, at approximately 10:30 AM, PO2 Manuel Tanay received confidential information about marijuana plants kept at the De Lima residence in Barangay Santiago, Bato, Camarines Sur. Upon this tip, Police Inspector Salvador Banaria ordered PO2 Tanay and PO2 Jeric Buena to conduct a surveillance operation at the mentioned location. The officers positioned themselves 10 meters away from the house and observed Ronilo Jumarang tending plants on the roof.

At around 11:15 AM, Jumarang was seen descending the roof with a tall potted plant with distinct “five finger leaves.” Suspecting it to be marijuana, the officers approached Jumarang, who asserted that the plant was medicinal. They secured his consent to enter the house and, upon inspecting the roof, discovered two more pots of marijuana plants. They brought Jumarang and the plants to the police station, alongside barangay and media witnesses, and prepared inventory and photographs. Tests later confirmed the plants as marijuana.

Charged under Section 16, Article II of Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002), Jumarang pleaded not guilty, claiming he was merely cleaning his in-laws’ rooftop when discovered the plants and planned to report them to the police.

The trial court found Jumarang guilty on August 30, 2016, sentencing him to reclusion perpetua and a PHP 500,000 fine. This decision was affirmed but modified by the Court of Appeals on January 16, 2018, imposing life imprisonment and the same fine. Jumarang appealed this decision to the Supreme Court.

Issues

1. ****Admissibility of seized marijuana plants:**** Whether the marijuana plants seized from Jumarang were admissible as evidence despite being obtained without a warrant.
2. ****Sufficiency of evidence:**** Whether there was proof beyond reasonable doubt of Jumarang’s guilt for cultivating marijuana.

Court’s Decision

****Admissibility of Evidence:****

- The Supreme Court emphasized that searches and seizures must generally be supported by a warrant unless falling under specific exceptions (e.g., search incidental to a lawful

arrest, consented searches).

- **In flagrante delicto arrest not justified:** For a valid arrest without a warrant under Rule 113, Section 5(a) of the Rules of Court, the arresting officers must have probable cause based on the person's overt actions observed directly by the officers. The Supreme Court found that PO2 Tanay and PO2 Buena relied solely on an informant's tip, which is insufficient for warrantless arrest without any crime being witnessed.
- **Lack of personal knowledge:** The officers were 10 meters away and could not reasonably discern the nature of the plant Jumarang was holding, negating probable cause.
- **Search not really consented to:** Any consent given by Jumarang to enter the house was deemed mere passive conformity in a coercive environment, particularly as the officers were already suspecting him based on informed tip-offs.

Sufficiency of Evidence:

- With the marijuana plants declared inadmissible, there was no remaining competent evidence against Jumarang.
- Resultantly, the Supreme Court ruled there was no sufficient proof beyond reasonable doubt to convict him under Section 16, Article II of R.A. No. 9165.

Doctrine

- **Invalid Warrantless Arrest and Search:** Reliable information from an informant alone is insufficient for a warrantless arrest and search. There must be overt acts observed by the officers indicating the commission of a crime. Without such acts, the subsequent search and seizure, even if consented under coercive conditions, becomes invalid.
- **"Fruit of the Poisonous Tree":** Evidence obtained from an invalid warrantless search cannot be used in court, as it violates constitutional protections against unreasonable searches and seizures.

Class Notes

- **Elements for Warrantless Arrest (Rule 113, Section 5, Rules of Court):**
 - There must be an overt act that the person is committing, has committed, or is about to commit a crime.
 - The act must be done in the presence or view of the arresting officer.
- **Exclusionary Rule (Section 3 (2), Article III, 1987 Constitution):**
 - Evidence obtained from unreasonable searches and seizures is inadmissible in any proceeding.
- **In cases of an invalid warrantless search:**
 - Any evidence obtained is subject to exclusion.

- Defendants can challenge the legality of evidence seized without questioning the court's jurisdiction over their person.

Historical Background

Post-1987 Constitution, the Philippine legal system emphasizes stronger protections against unreasonable searches and seizures, reflecting global human rights trends, including the “fruit of the poisonous tree” doctrine—a principle underscoring that evidence obtained unlawfully must be excluded to ensure fairness in judicial processes. This framework aligns Philippine legal tenets with international standards, safeguarding civil liberties.