

**\*\*Title:\*\*** Alejandro Tecson vs. Court of Appeals and People of the Philippines

**\*\*Facts:\*\***

On April 28, 1990, Alejandro Tecson was arrested by operatives of the Central Bank of the Philippines and the US Secret Service during a buy-bust operation in a Jollibee restaurant in Rizal Ave., Sta. Cruz, Manila. Prior to this, on April 26, 1990, a civilian informer alerted the Central Bank's Cash Department about a syndicate trafficking counterfeit US dollar notes led by a person referred to as Mang Andy. A successful test-buy operation had preceded this buy-bust, revealing that the dollar notes sold were indeed counterfeit.

On the day of the arrest, the buy-bust team, composed of Confidential Assistant Pedro Labita, Corporal Johnny Marqueta of the US Secret Service, and other Central Bank staff, coordinated a meeting with Tecson. Upon arriving, the civilian informer introduced Labita and Marqueta to Tecson as purchasers interested in buying counterfeit dollars. Tecson then drew ten \$100 counterfeit notes from his wallet to sell to them. Upon this, he was immediately apprehended.

During investigation at the Central Bank, Tecson initialed each seized note, signed a receipt, and executed a "Pagpapatunay", acknowledging the proper conduct of the investigation. Examination later confirmed the seized notes were counterfeit. Tecson claimed he was framed and tortured into signing the documents, asserting he had no knowledge of the counterfeit notes and was merely receiving a sealed envelope from a friend's wife ostensibly containing insurance documents when arrested.

Procedurally, Tecson was arraigned, tried, and found guilty by the trial court on May 6, 1991, sentencing him to 8 years and 1 day as minimum to 10 years, 8 months, and 1 day of imprisonment along with a P5,000 fine. Appeals to the Court of Appeals and subsequent motion for reconsideration were denied, leading to the petition for certiorari before the Supreme Court.

**\*\*Issues:\*\***

1. Whether the evidence presented was sufficient to support Tecson's conviction for the crime charged.
2. Whether the evidence presented by the prosecution was admissible in law, considering Tecson's allegations of frame-up, torture, and lack of intent to possess and use the counterfeit notes.

**\*\*Court's Decision:\*\***

The Supreme Court affirmed the decision of the Court of Appeals, holding:

1. **Sufficiency of Evidence:** The evidence presented by the prosecution was deemed sufficient to support Tecson's conviction. His possession of the counterfeit notes and readiness to use them was established beyond reasonable doubt by the testimonies of the officers involved in the buy-bust operation.
2. **Admissibility of Evidence:**
  - **Frame-up Defense:** The court found no credible evidence to support Tecson's defense of being framed-up. The arresting officers' testimonies were unanimous and without improper motive.
  - **Torture Allegations:** Tecson's claims of being tortured into signing documents were unsupported by evidence, and he filed no complaints against the officials.
  - **Intent and Overt Act:** His act of showing the counterfeit notes to the supposed buyers was seen as a clear overt act displaying his intent to use and pass the counterfeit notes.

The court emphasized that while custodial investigation documents like the "Pagpapatunay" were inadmissible for lack of counsel, the independent testimonies regarding the buy-bust operation provided sufficient grounds for conviction.

**Doctrine:**

The core doctrines reiterated in this case include:

1. **Entrapment vs. Instigation:** The law distinguishes between valid entrapment (permissible) and instigation (impermissible). Here, the buy-bust operation was a clear entrapment where Tecson had the intent to commit the crime independent of any manipulative prompting.
2. **Possession with Intent to Use:** Under Article 168 of the Revised Penal Code, possession of counterfeit notes is criminal only if coupled with intent to use, demonstrated through clear overt actions.
3. **Admissibility of Evidence from Warrantless Arrests:** Evidence obtained during a lawful warrantless arrest (like a buy-bust operation) is admissible.

**Class Notes:**

- **Elements of Illegal Possession and Use of Falsified Instruments (Art. 168, Revised Penal Code):**
  1. The notes or documents are falsified.
  2. The offender knows they are falsified.

3. The offender has intent to use or possesses with intent to use such falsified instruments.

- **Key Concepts:**

- **Buy-Bust Operations:** Legal when the suspect is caught in flagrante delicto.

- **Entrapment:** Legal technique of catching a suspect in the act of committing a crime without inducing them to commit the offense.

- **Legal Presumption:** Public officers, including arresting and investigating officers, are presumed to perform their duties regularly and properly unless proven otherwise.

**Historical Background:**

The case emerged during a period when the Philippine government was intensely monitoring and combating financial crimes, including the trafficking of counterfeit currency. The cooperative efforts of local agencies like the Central Bank and international bodies like the US Secret Service reflect the transnational nature of such crimes and the intensified scrutiny and legal ramifications faced by individuals involved in the counterfeiting syndicates during this era.