

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ERNESTO LAVARIAS Y BOLINAS, ACCUSED-APPELLANT.

G.R. No. 273582, June 09, 2026

Ponente: LEONEN, SAJ.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-273582/>

LEONEN, SAJ.:

Procedural rules on the issuance of search warrants must be strictly complied with as search warrants limit the constitutional right against unreasonable search and seizure.[1] Failure to present sufficient basis on record to justify an application for a search warrant before a court without territorial jurisdiction over the crime is a ground to deny the application due to insufficiency. Consequently, a search warrant that is wanting in sufficient basis to justify its application before a court without territorial jurisdiction is void for having serious defects.[2]

This Court resolves an appeal[3] from the Decision[4] of the Court of Appeals, which affirmed with modification the Regional Trial Court's Joint Decision[5] convicting accused-appellant Ernesto Lavarias y Bolinas (Lavarias) of illegal possession of firearms and ammunitions and illegal possession of explosives.

On June 30, 2017, two Informations were filed against Lavarias, the accusatory portions of which read:

Criminal Case No. 2017-0631-D

(Violation of Section 28, paragraph (a) of R.A. No. 10591)

That on or about the 30[th] day of June 2017, in the City of Dagupan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, ERNESTO LAVARIAS y Bolinas, did then and there, willfully, unlawfully and criminally, have in his possession, custody and control one (1) caliber .38 revolver and three (3) live ammunition for caliber .38 revolver, without authority to possess the same.

Contrary to Sec. 28, par. (a) of RA 10591.

Criminal Case No. 2017-0632-D

(Violation of PD No. 1866, as amended by R.A. No. 9516)

That on or about the 30[th] day of June 2017, in the City of Dagupan, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, ERNESTO LAVARIAS Y BOLINAS, did then and there, willfully, unlawfully and criminally, have in his possession, custody and control one (1) fragmentation grenade, without authority and license to possess the same.

Contrary to Sec. 3 of PD 1866, as amended by RA 9516.[6]

The two cases were consolidated. Upon arraignment, Lavarias pleaded not guilty to both charges. After pretrial, trial on the merits ensued.[7]

The prosecution presented the following witnesses: (1) Police Chief Inspector Eric G. Magtaan (PCI Magtaan); (2) Senior Police Officer 2 Romeo P. Galisim (SPO2 Galisim); (3) Police Senior Inspector Roberto Villaruz (PSI Villaruz); (4) Police Master Sergeant Danny A. Ventura (PMSg Ventura); and (5) Barangay Captain Filipina Delos Santos (Brgy. Captain Delos Santos).[8]

Collectively, their testimonies establish that on June 28, 2017, Search Warrant No. 129-017 was issued by Branch 70 of the Regional Trial Court of Burgos, Pangasinan to search Lavarias's house in Dagupan City.[9]

Two days after, a coordination meeting was held for the implementation of the search warrant. The implementing team was composed of PCI Ronald D. Patricio (PCI Patricio) as team leader, SPO2 Galisim as searcher, PMSg Ventura as photographer, and SPO4 Joey Barlaan. After coordinating with the Dagupan City Police Office and summoning barangay officials as witnesses, the team proceeded to Lavarias's house around 4:55 a.m. of the same day.[10]

Upon their arrival, PCI Patricio called for Lavarias and when Lavarias stepped out, PCI Patricio announced the purpose and nature of the search. Lavarias was then given a copy of the search warrant which he signed. Before SPO2 Galisim and PMSg Ventura entered the house to search, they were frisked by Brgy. Captain Delos Santos and Brgy. Tanod Andres Calimlim (Tanod Calimlim), who confirmed that nothing was recovered from them.[11]

At around 5:20 a.m., SPO2 Galisim, PMSg Ventura, Brgy. Captain Delos Santos, Tanod Calimlim, and Lavarias entered the house. In a dark room at the left portion of the house, SPO2 Galisim, who held a flashlight, saw a grenade inside a partly opened handbag on top of a bed. PMSg Ventura then took photos of the bag on top of the bed and asked Lavarias if he had authority to possess the grenade, but Lavarias did not answer. Upon further inspection, the rest of the team found the following inside the handbag: (1) one fragmentation hand grenade; (2) one .38 caliber revolver; and (3) three live ammunitions for a .38 caliber firearm.[12]

SPO2 Galisim conducted an inventory of the items at the place of the incident in the presence of Lavarias, Brgy. Captain Delos Santos, and Tanod Calimlim. He marked the grenade with "RG," the .38 caliber revolver with "RG-1," and the three live ammunitions with "RG-2," "RG-3" and "RG-4." The barangay officials then signed the Receipt of Property Seized and Certification of Orderly Search. Lavarias refused to sign.[13]

Lavarias was then informed of his constitutional rights before he was arrested. PMSg Ventura submitted the Compliance and Return of the Search Warrant to the Regional Trial Court of Burgos. Upon examination of the seized items, it was found that the grenade was still serviceable. The Philippine National Police Firearms and Explosives Office (PNP-FEO) also issued two certifications stating that Lavarias was neither licensed nor registered to possess any kind of firearms, ammunitions, or explosives.[14]

The defense presented the lone testimony of Lavarias who denied all the accusations against him. He claimed that around 4:00 a.m. on June 30, 2017, five people surrounded his house and forcibly kicked his door open. He later found out that the men were police officers. He was then handcuffed, blindfolded, and ordered to lie face down on the ground while one of the men went to his bedroom. Afterward, he was taken outside of the house while they waited for the barangay captain to arrive.[15]

Lavarias claimed that when the barangay captain arrived, he, along with the former barangay captain's daughter and three members of the Criminal Investigation and Detention Group, entered Lavarias's house while Lavarias remained outside. When the group came out, they were already holding a bag. Lavarias was ordered to point to the bag for pictures, but he refused as he did not know its contents. He also said that he did not sign the Certificate of Orderly Search as it was not presented to him.[16]

In its December 17, 2021 Joint Decision,[17] the Regional Trial Court found Lavarias guilty of both charges. The dispositive portion of the Joint Decision reads:

WHEREFORE, judgment is hereby rendered in:

1. Crim. Case No.. 2017-0631-D finding accused ERNESTO LAVARIAS y BOLINAS guilty beyond reasonable doubt of the crime of Violation of Sec. 28, par. (a) of R.A. 10591 and is hereby sentenced to suffer

an indeterminate penalty of six (6) years, eight (8) months and one (1) day of prison mayor minimum to ten (10) years of prison mayor as maximum; and,

2. Crim. Case No. 2017-0632-D finding accused ERNESTO LAVARIAS y BOLINAS guilty beyond reasonable doubt of the crime of Violation of P.D. [No.] 1866 as amended by R.A. [No.] 9516 or Illegal Possession of Explosives and is hereby sentenced to suffer the penalty of reclusion perpetua.

....

SO ORDERED.[18]

Before the Court of Appeals, Lavarias assailed the validity of the search warrant on the ground that it was issued by the Regional Trial Court of Burgos, but it was implemented in Dagupan City.[19] He also reiterated that the prosecution failed to establish all the elements for illegal possession of firearms and explosives.[20]

In its November 15, 2023 Decision,[21] the Court of Appeals affirmed Lavarias's conviction with modification on the maximum penalty for illegal possession of firearms and ammunitions. The dispositive portion of the Decision reads:

WHEREFORE, the appeal is DENIED. The Joint Decision dated 17 December 2021 of the Regional Trial Court, Branch 44 of Dagupan City is AFFIRMED with MODIFICATION, to wit:

1. In Criminal Case No. 2017-0631-D, accused-appellant ERNESTO LAVARIAS y BOLINAS is found GUILTY beyond reasonable doubt of illegal possession of firearm and ammunitions under Section 28, paragraph (a) of R.A. No. 10591, and is hereby SENTENCED to suffer an indeterminate penalty of six (6) years and one (1) day of prison mayor, as minimum, to eight (8) years, eight (8) months, and one (1) day of prison mayor, as maximum.

2. In Criminal Case No. 2017-0632-D, accused-appellant ERNESTO LAVARIAS y BOLINAS is found GUILTY beyond reasonable doubt of illegal possession of explosive under P.D. No. 1866, as amended by R.A. No. 9516, and is hereby SENTENCED to suffer the penalty of reclusion perpetua.

SO ORDERED.[22]

As to the validity of the search warrant, the Court of Appeals held that Rule 126, Section 2[23] of the Rules of Court applies. It found that there was compelling reason for the police to apply for a search warrant in another court to keep its contents secret as Lavarias allegedly had connections within the Regional Trial Court of Dagupan City.[24] It ruled that Lavarias' s possession of the firearms and grenade was established by the testimonies of the prosecution witnesses. The certifications issued by the PNP-FEO also proved that Lavarias had no license to possess the seized items.[25]

On December 13, 2023, Lavarias appealed before this Court.[26] The parties were then directed to submit their Supplemental Briefs.[27] In separate Manifestations, plaintiff-appellee People of the Philippines[28] and accused-appellant Ernesto Lavarias[29] both stated that they would be adopting their respective briefs before the Court of Appeals.

Before this Court, accused-appellant reiterates that the search was illegal, making the evidence gathered from it inadmissible. He points out that the warrant was issued by the Regional Trial Court of Burgos, Pangasinan, but it was implemented at his house in Dagupan City. According to him, it contradicts Rule 126, Section 2 of the Rules of Court, which states that the warrant should be issued by the court having territorial jurisdiction over the crime.[30]

Accused-appellant also argues that the hand grenade was not one of the items particularly described in the search

warrant. He claims that the police could not have seen it in plain view as the room was dimly lit and he did not consent to any further search of his handbag where the grenade was found.[31]

Further, accused-appellant points out that the testimonies of the prosecution witnesses were riddled with inconsistencies which cast doubt on the validity of the search.[32]

Lastly, accused-appellant claims that the prosecution failed to prove all the elements for the crimes charged. He insists that the prosecution failed to prove that the firearm, ammunitions, and grenade seized belonged to him.[33]

The issue before this Court is whether accused-appellant Ernesto Lavarias y Bolinas is guilty beyond reasonable doubt of illegal possession of firearms and ammunitions under Republic Act No. 10591 and illegal possession of explosives under Presidential Decree No. 1866, as amended by Republic Act No. 9516.

The appeal is granted. Accused-appellant must be acquitted as the evidence convicting him were obtained through an invalid search warrant, making them inadmissible for any purpose in any proceeding.[34]

Search Warrant No. 129-017 is invalid and deemed null and void as the issuing court failed to establish a "compelling reason" for issuing it despite not having jurisdiction over the place of the crime, which, in turn, is a failure to establish the probable cause required for the issuance of any search warrant.[35]

While the right to question the legality of a search warrant may be deemed waived if not timely raised before arraignment, a search warrant may still be declared null and void if issued with serious defects, in manifest violation of the constitutional right of the accused against illegal search and seizure, such as in this case.[36]

The proper venue for the filing of search warrants is currently outlined in Rule 126, Section 2 of the Revised Rules of Criminal Procedure, which states:

SECTION 2. Court where application for search warrant shall be filed. — An application for search warrant shall be filed with the following:

- a) Any court within whose territorial jurisdiction a crime was committed.

- b) For compelling reasons stated in the application, any court within the judicial region where the crime was committed if the place of the commission of the crime is known, or any court within the judicial region where the warrant shall be enforced.

However, if the criminal action has already been filed, the application shall only be made in the court where the criminal action is pending.

By way of exception, warrants may also be issued by a court within the same judicial region where the crime happened, if known, or where the warrant will be implemented, provided there is a compelling reason which must be alleged and substantiated during the application.

Malaloan v. Court of Appeals,[37] although promulgated before the Revised Rules on Criminal Procedure on December 1, 2000, is still relevant in explaining why the exception exists. In Malaloan, this Court clarified that the power to issue search warrants is inherent in all courts and is merely a special criminal process separate and distinct from the power to try criminal actions, which is lodged only in specified courts:

Petitioners invoke the jurisdictional rules in the institution of criminal actions to invalidate the search warrant issued by the Regional Trial Court of Kalookan City because it is directed toward the seizure of firearms and ammunition allegedly cached illegally in Quezon City. This theory is sought to be buttressed by the fact that the criminal case against petitioners for violation of Presidential Decree No. 1866 was subsequently filed in the latter court. The application for the search warrant, it is claimed, was accordingly filed in a court of improper venue and since venue in criminal actions involves the territorial jurisdiction 'of the court, such warrant is void

for having been issued by a court without jurisdiction to do so.

The basic flaw in this reasoning is in erroneously equating the application for and the obtention of a search warrant with the institution and prosecution of a criminal action in a trial court. It would thus categorize what is only a special criminal process, the power to issue which is inherent in all courts, as equivalent to a criminal action, jurisdiction over which is reposed in specific courts of indicated competence. It ignores the fact that the requisites, procedure and purpose for the issuance of a search warrant are completely different from those for the institution of a criminal action.

For, indeed, a warrant, such as a warrant of arrest or a search warrant, merely constitutes process. A search warrant is defined in our jurisdiction as an order in writing issued in the name of the People of the Philippines signed by a judge and directed to a peace officer, commanding him to search for personal property and bring it before the court. A search warrant is in the nature of a criminal process akin to a writ of discovery. It is a special and peculiar remedy, drastic in its nature, and made necessary because of a public necessity.[38]

The inherent power of all courts to issue search warrants is also reflected in the lack of specific venue restrictions in the 1940 and 1964 Rules of Criminal Procedure, which only require that the search warrant be issued by a judge or justice of peace.[39] Further, an examination of the Judiciary Act of 1948[40] as well as the Judiciary Reorganization Act of 1980[41] show that no specific courts were given exclusive jurisdiction to issue search warrants.

The 1984 version of the Rules of Criminal Procedure, which is the basis for the 1994 ruling in *Malaloan*, reflected the same omission as that in the previous rules. In *Malaloan*, this Court opined that the statutory omission stems not from neglect but from a deliberate intention to avoid legal restrictions which would otherwise impede prosecution of crimes.[42]

Nevertheless, as early as *Malaloan*, this Court has already recognized that while all courts may issue arrest warrants, the primary jurisdiction to do so still lies with the court having territorial jurisdiction over the crime or the place to be searched and that recourse to courts without territorial jurisdiction should be "necessitated and justified by compelling considerations of urgency, subject, time and place." [43]

The requirement for a compelling reason before a court without territorial jurisdiction may issue a search warrant is reflected in the current wording of Rule 126 Section 2(b) of the Revised Rules on Criminal Procedure, which was promulgated in 2000.

However, on January 27, 2004, this Court issued A.M. No. 03-08-02-SC[44] which allowed the Regional Trial Courts of Manila and Quezon City to issue search warrants in special criminal cases which may be implemented anywhere in the country, even without compelling reason, provided that it is personally endorsed by the heads of the filing agencies.

SEC. 12. Issuance of search warrants in special criminal cases by the Regional Trial Courts of Manila and Quezon City. – The Executive Judges and, whenever they are on official leave of absence or are not physically present in the station, the Vice-Executive Judges of the RTCs of Manila and Quezon City shall have authority to act on applications filed by the National Bureau of Investigation (NBI), the Philippine National Police (PNP) and the Anti-Crime Task Force (ACTAF), for search warrants involving heinous crimes, illegal gambling, illegal possession of firearms and ammunitions as well as violations of the Comprehensive Dangerous Drugs Act of 2002, the Intellectual Property Code, the Anti-Money Laundering Act of 2001, the Tariff and Customs Code, as amended, and other relevant laws that may hereafter be enacted by Congress, and included herein by the Supreme Court.

The applications shall be personally endorsed by the heads of such agencies or their respected duly authorized officials and shall particularly describe therein the places to be searched and/or the property or things to be

seized as prescribed in the Rules of Court. The Executive Judges and Vice-Executive Judges concerned shall issue the warrants, if justified, which may be served in places outside the territorial jurisdiction of the said courts.

The Executive Judges and the authorized Judges shall keep a special docket book listing names of Judges to whom the applications are assigned, the details of the applications and the results of the searches and seizures made pursuant to the warrants issued. This Section shall be an exception to Section 2 of Rule 126 of the Rules of Court.[45] (Emphasis supplied)

The relaxation of the rules was meant to make the administration of justice more efficient.[46] However, several incidents involving search warrants issued under this rule were marked by violence, with some resulting in death. On March 7, 2021, simultaneous raids conducted by the police and military in Rizal, Batangas, and Cavite effected through search warrants issued by Manila and Quezon City courts. Infamously dubbed as "bloody Sunday," the raids took nine lives of human rights activists.[47] A prior incident on December 30, 2020 also involved search warrants issued by Manila courts and implemented in Iloilo, which led to the killing of nine members of the Tumandok indigenous peoples of Panay.[48]

In response to the increasing reports of civilian deaths during the implementation of search warrants issued by the Manila and Quezon City courts,[49] the Court promulgated A.M. No. 21-06-08-SC, or the Rules on the Use of Body-Worn Cameras in the Execution of Warrants on June 29, 2021. The new rules mandated the use of body-worn cameras by police officers implementing search and arrest warrants[50] to "deter the excessive use of force by law enforcement officers in the execution of warrants and can aid trial courts in resolving issues that may become relevant in the criminal case, such as conflicting eyewitness accounts[.]"[51]

A.M. No. 21-06-08-SC also expressly repealed the power of the Manila and Quezon City trial courts to issue search warrants in special criminal cases which can be implemented anywhere in the country.[52] Nevertheless, the rule retained the power of the executive judges to issue search warrants to be implemented within their judicial region:

SECTION 2. Search Warrants in Special Criminal Cases by Executive Judges of Regional Trial Courts. – Except for the jurisdiction of the Special Commercial Courts to issue search warrants involving intellectual property rights violations, the Executive Judges and, whenever they are on official leave of absence or are not physically present in the station, the Vice-Executive Judges of the Regional Trial Courts shall have authority to act on applications for search warrants to be implemented within their judicial regions, filed by the National Bureau of Investigation, the Philippine National Police, the Anti-Crime Task Force, the Philippine Drug Enforcement Agency, and the Bureau of Customs, for search warrants involving heinous crimes, illegal gambling, illegal possession of firearms and ammunitions, as well as violations of the Comprehensive Dangerous Drugs Act of 2002, the Anti-Money Laundering Act of 2001, the Customs Modernization and Tariff Act, and other relevant laws that may later be enacted by Congress and included in these Rules by the Supreme Court.

The applications shall be personally endorsed by the heads of such agencies and shall particularly describe the places to be searched and/or the properties or things to be seized as prescribed in the Rules of Court. They shall also state the compelling reasons for filing the application with these courts. The Executive Judges and Vice-Executive Judges concerned shall issue the warrants, if justified, which may be served in places outside the territorial jurisdiction, but within the judicial regions of these courts.

The Executive Judges and the authorized Judges shall keep a special docket book listing the names of Judges to whom the applications are assigned, the details of the applications, and the results of the searches and seizures made pursuant to the warrants issued.

This shall be an exception to Section 2, Rule 126 of the Revised Rules of Criminal Procedure. (Emphasis

supplied)

Thus, apart from the venues stated in Rule 126, Section 2 of the Rules of Court, search warrants in special criminal cases may also be filed by the heads of the mentioned agencies before the executive judge of the Regional Trial Court within the judicial region where the warrant will be implemented. However, the current rule brought back the need for a compelling reason in the application should the warrant be implemented outside the jurisdiction of the court but still within its judicial region.

The current rule was made applicable to pending applications for warrants and to those that have not yet been implemented as of June 29, 2021.[53] However, Rule 126, Section 2(b) governs this case since the search warrant for accused-appellant's house in Dagupan City, Pangasinan was issued by the Regional Trial Court of Burgos, Pangasinan and implemented on June 30, 2017.

Thus, for the search warrant against accused-appellant to be valid, the rule requires that a compelling reason be stated in the application justifying why it was filed before the Regional Trial Court of Burgos and not before the Regional Trial Court of Dagupan City where the warrant was implemented.

Subsequent rulings after Malaloan have accepted as compelling reason "pervading concerns of potential information leakage" even though these claims were uncorroborated by evidence.[54] However, in *People v. Alagaban*,[55] this Court has ruled that this practice disregards "the procedural safeguards inherent in the rules for handling search warrant applications and runs afoul of the Constitutional right against unreasonable search and seizure." [56]

The right of persons to be protected against unreasonable searches and seizures is enshrined in Article III, Section 2 of the Constitution:

Section 2. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized. (Emphasis supplied)

Citing Malaloan, this Court in *Alagaban* harmonized the mandate for a determination of probable cause in the constitution as well as the requirement for a compelling reason found in Rule 126, Section 2(b) to establish a new standard for the issuance of search warrants implemented outside a court's territorial jurisdiction:

As discussed earlier, Malaloan identified the need for compelling reasons when applying for a search warrant with a court that did not have territorial jurisdiction over the crime. This is consistent with the amendments to Rule 126 of the Revised Rules of Criminal Procedure, which added the requirement of "compelling reasons" now contained in Section 2(b) of the same Rule. Taken together with Malaloan's pronouncement that the Constitutional safeguards against unreasonable search and seizure should be read together with the procedures for a search warrant's issuance, a judge's determination of probable cause should thus include the examination of whether the "compelling reasons" cited in a search warrant application have adequate basis.[57] (Emphasis supplied)

Alagaban held that mere generalizations or conclusions of law are insufficient to meet the standard of probable cause in issuing search warrants, and that the compelling reason stated in search warrant applications before the courts without territorial jurisdiction must have substantial basis on record.[58] Substantial basis, in the context of search warrants, requires that the record contain "particular facts and circumstances that were considered by the judge as sufficient to make an independent evaluation of the existence of probable cause to justify the issuance of the search warrant." [59]

Thus, in issuing search warrants which will be implemented outside their territorial jurisdiction, judges must not only determine probable cause in terms of whether "a reasonably discreet and prudent man to believe that an offense has been committed, and the objects in connection with the offense sought to be seized are in the place sought to be searched,"[60] they must also be satisfied that the evidence on record adequately Justifies the compelling reason which necessitated the application of search warrant before their court.

These procedural rules must be strictly complied with as search warrants limit the constitutional right against unreasonable search and seizure.[61] Failure to present sufficient basis on record to justify the compelling reason required by the rules is a ground to deny an application for search warrant for insufficiency. Consequently, a search warrant issued without sufficient basis to justify the compelling reason stated in the application, is seriously defective and void.[62]

In this case, other than the bare assertion of PMSg Ventura that they filed the application in Burgos "to avoid leakage and compromise the secrecy of the information" as accused-appellant allegedly had friends in the Regional Trial Court of Dagupan City, no other fact or evidence was presented to substantiate these claims.[63] Given that there is no substantial basis on record to justify the issuance of Search Warrant No. 129-017 by Branch 70 of the Regional Trial Court of Burgos, the search warrant is deemed null and void.

Evidence obtained from illegal search and seizure are deemed inadmissible for any purpose in any proceeding as they are "the proverbial fruit of a poisonous tree." [64] This exclusionary rule protects citizens against erring officers by refusing to legitimize improper conduct of law enforcement. Considering that the corpus delicti—the body of the crime—for the crimes charged in this case are inadmissible due to an illegal search and seizure, accused-appellant must be acquitted.

ACCORDINGLY, the appeal is GRANTED. The December 17, 2021 Joint Decision of Branch 44, Regional Trial Court of Dagupan City in Criminal Case Nos. 2017-0631-D and 2017-0632-D, and the November 15, 2023 Decision of the Court of Appeals in CA-G.R. CR-HC No. 16338 are REVERSED and SET ASIDE.

Accused-appellant Ernesto Lavarias y Bolinas is ACQUITTED of illegal possession of firearms and ammunitions under Republic Act No. 10591 and illegal possession of explosives under Presidential Decree No. 1866, as amended by Republic Act No. 9516. He is ordered RELEASED unless he is being held for some other legal grounds.

Let a copy of this Decision be furnished to the Director of the Bureau of Corrections for immediate implementation. The Director of the Bureau of Corrections is DIRECTED to report the action he has taken to this Court within five days from receipt of this Decision.

Let entry of final judgment be issued immediately.

SO ORDERED.

Lazaro-Javier, J. Lopez, and Villanueva, JJ., concur.
Kho, Jr.,[*] J., on leave.

[*] On leave.

[1] *Pilipinas Shell Petroleum Corp. v. Romars International Gases Corp.*, 753 Phil. 707, 715 (2015) [Per J. Peralta, Third Division].

[2] *People v. Alagaban*, 933 Phil. 608, 615 (2023) [Per J. Leonen, Second Division], citing *People v. Simbahon*,

449 Phil. 74 (2003) [Per J. Ynares-Santiago, First Division].

[3] Rollo, pp. 3-5.

[4] Id. at 9-30. The November 15, 2023 Decision in CA-G.R. CR-HC. No. 16338 was penned by Associate Justice Raymond Reynold R. Lauigan and concurred in by Associate Justices Emily R. Aliño-Geluz and Emily L. San Gaspar-Gito, Special Seventeenth Division, Court of Appeals, Manila.

[5] Id. at 32-43. The December 17, 2021 Joint Decision in Crim. Case Nos. 2017-0631-D and 2017-0632-D was penned by Judge Genoveva Coching-Maramba of Branch 44, Regional Trial Court of Dagupan City.

[6] Id. at 10.

[7] Id.

[8] Id. at 11.

[9] Id. at 11-12.

[10] Id. at 12.

[11] Id.

[12] Id. at 13.

[13] Id.

[14] Id. at 14.

[15] Id.

[16] Id.

[17] Id. at 32-53.

[18] Id. at 43.

[19] Id. at 18.

[20] Id. at 21.

[21] Id. at 9-30. The November 15, 2023 Decision in CA-G.R. CR-HC. No. 16338 was penned by Associate Justice Raymond Reynold R. Lauigan and concurred in by Associate Justices Emily R. Aliño-Geluz and Emily L. San Gaspar-Gito, Special Seventeenth Division, Court of Appeals, Manila.

[22] Id. at 29-30.

[23] RULES OF COURT, Rule 126, sec 2 states: Court where application for search warrant shall be filed. — An application for search warrant shall be filed with the following:

a) Any court within whose territorial jurisdiction a crime was committed.

b) For compelling reasons stated in the application, any court within the judicial region where the crime was committed if the place of the commission of the crime is known, or any court within the judicial region where the warrant shall be enforced.

[24] Rollo, p. 19.

- [25] Id. at 3-4.
- [26] Id. at 3-5.
- [27] Id. at 44-45.
- [28] Id. at 47-49.
- [29] Id. at 55-57.
- [30] Id. at 44-46.
- [31] Id. at 50-52.
- [32] Id. at 46-50.
- [33] Id. at 54-56.
- [34] *People v. Comprado*, 829 Phil. 229, 236-237 (2018) [Per J. Martires, Third Division].
- [35] *People v. Alagaban*, 933 Phil. 608, 623 (2023) [Per J. Leonen, Second Division].
- [36] Id. at 615.
- [37] 302 Phil. 273 (1994) [Per J. Regalado, En Banc].
- [38] Id. at 284-285.
- [39] See RULES OF COURT (1940), sec. 3; RULES OF COURT (1964), sec. 3.
- [40] Republic Act No. 296 (1948), The Judiciary Act of 1948.
- [41] Batas Pambansa Blg. 129 (1980), The Judiciary Reorganization Act of 1980.
- [42] *Malaloan v. Court of Appeals*, 302 Phil. 273, 286 (1994) [Per J. Regalado, En Banc].
- [43] Id. at 287.
- [44] A.M. No. 03-08-02-SC took effect on February 15, 2004.
- [45] A.M. No. 03-08-02-SC, Guidelines on the Selection and Designation of Executive Judges and Defining their Powers, Prerogatives and Duties, sec. 12, February 15, 2004, as amended by A.M. No. 08-4-4-SC, July 7, 2009.
- [46] *People v. Azarraga*, 615 Phil. 41, 50 (2011) [Per J. Sereno, Second Division].
- [47] See Marlon Ramos, SC Acts on "death warrants," curbs Metro Manila Court powers, INQUIRER.NET, July 11, 2021, available at <https://newsinfo.inquirer.net/1458166/sc-acts-on-death-warrants-curbs-metro-court-powers> (last accessed on February 18, 2026); See also Jairo, Bolledo, Leaders lost: The 9 activists killed by Duterte gov't on 'Bloody Sunday,' RAPPLER, March 8, 2021, available at <https://www.rappler.com/newsbreak/iq/names-activists-killed-by-duterte-government-bloody-sunday-march-7-2021/> (last accessed on February 18, 2026).
- [48] Antonio Montalvan II, Is there a warrants factory?, VERA FILES, March 16, 2021, available at <https://verafil.es.org/articles/there-warrants-factory> (last accessed on February 18, 2026). See also UNITED NATIONS NEWS, Philippines: UN rights office appalled over simultaneous killings of 'red-tagged' activists, March 9, 2021, available at <https://news.un.org/en/story/2021/03/1086782> (last accessed on February 18, 2026).
- [49] A.M. No. 21-06-08-SC, June 29, 2021, Rules on the Use of Body-Worn Cameras in the Execution of

Warrants, Third and Fourth Whereas clauses.

[50] A.M. No. 21-06-08-SC, June 29, 2021, sec. 3.

[51] A.M. No. 21-06-08-SC, June 29, 2021, 12[th] Whereas Clause.

[52] A.M. No. 21-06-08-SC, June 29, 2021, Rule 5, sec. 2.

[53] A.M. No. 21-06-08-SC, June 29, 2021, Rule 5, sec. 1.

[54] *Ilano v. Court of Appeals*, 314 Phil. 241 (1995) [Per J. Bellosillo, First Division]; *People v. Chiu*, 468 Phil. 183 (2004) [Per J. Callejo, Sr., Second Division]; *Petron Gasul LPG Dealers Association v. Lao*, 790 Phil. 216 (2016) [Per J. Del Castillo, Second Division].

[55] 933 Phil. 608 (2023) [Per J. Leonen, Second Division].

[56] *Id.* at 623.

[57] *Id.* at 624.

[58] *Id.* at 627.

[59] *Ogayon v. People*, 768 Phil. 272, 284 (2015) [Per J. Brion, Second Division].

[60] *People v. Tee*, 433 Phil. 521, 540 (2003) [Per J. Quisumbing, En Banc].

[61] *Pilipinas Shell Petroleum Corp. v. Romars International Gases Corp.*, 753 Phil. 707, 715 (2015) [Per J. Peralta, Third Division].

[62] *People v. Alagaban*, 933 Phil. 608 (2023) [Per J. Leonen, Second Division], citing *People v. Simbahon*, 449 Phil. 74 (2003) [Per J. Ynares-Santiago, First Division].

[63] *Rollo*, p. 111.

[64] *People v. Yanson*, 858 Phil. 642, 668 (2019) [Per J. Leonen, Third Division].

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.