

Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

ROEL GEMENTIZA PADILLO,
Petitioner,

G.R. No. 271012

Present:

GESMUNDO, C.J.,
Chairperson,
HERNANDO,
ZALAMEDA,
ROSARIO,* and
MARQUEZ, JJ.

- versus -

PEOPLE OF THE PHILIPPINES,
Respondent.

Promulgated:
OCT 09 2024
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DECISION

HERNANDO, J.:

Assailed in this Petition for Review on *Certiorari*¹ are the Decision² dated February 23, 2023, and the Resolution³ dated October 11, 2023, of the Court of Appeals (CA), affirming the Decision⁴ dated June 14, 2021, of the Regional Trial Court (RTC), which found Roel Gementiza Padillo (Padillo) guilty beyond

* On official business.

¹ *Rollo*, pp. 3–19.

² *Id.* at 21–44. The February 23, 2023 Decision in CA-G.R. CR-HC No. 02882-MIN was penned by Associate Justice Evalyn M. Arellano-Morales and concurred in by Associate Justices Anisah B. Amanodin-Umpa and John Z. Lee of the Twenty-Second Division, Court of Appeals, Cagayan de Oro City.

³ *Id.* at 57–58. The October 11, 2023 Resolution in CA-G.R. CR-HC No. 2882-MIN was penned by Associate Justice Evalyn M. Arellano-Morales and concurred in by Associate Justices Anisah B. Amanodin-Umpa and John Z. Lee of the Twenty-Second Division, Court of Appeals, Cagayan de Oro City.

⁴ *Id.* at 96–125. The June 14, 2021 Decision in Criminal Case No. 2277-M(2018) was penned by Presiding Judge Wilfred R. Yacapin of Branch 26, Regional Trial Court, Medina, Misamis Oriental.

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a reasonable doubt of violation of Section 11,⁵ Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002.

The Antecedents

Padillo was charged with illegal possession of dangerous drugs under Section 11 of Republic Act No. 9165 in an Information⁶ which reads:

That on or about the 24th day of March 2018 at more or less 1:45 [a.m.] at Zone 3, Barangay Mantangale, Municipality of Balingoan, Province of Misamis Oriental, Philippines and within the jurisdiction of this Honorable court, the above-named Accused, not being authorized by law, did then and there willfully, unlawfully and unknowingly have in his possession, direct custody and control of the following:

One (1) knot tied transparent plastic sachet containing white crystalline substance (marked as "JST-R1-03-24-18") with a net weight of 40.3103 grams.

One (1) heat-sealed transparent plastic sachet containing white crystalline substance (marked as "JST-R2-03-24-18") with net weight 4.7178 grams.

[One (1) open transparent plastic sachet (marked as "J1") containing] Five (5) heat-sealed transparent plastic sachet containing white crystalline substance with the following markings and net weights:

Markings	Net Weight, gram
JST-R3-03-24-18	0.8543
JST-R4-03-24-18	0.8801
JST-R5-03-24-18	0.9828
JST-R6-03-24-18	1.0013
JST-R7-03-24-18	0.9989

Four (4) heat sealed transparent plastic sachet containing white crystalline substances with the following markings and net weights:

Markings	Net Weight, gram
JST-R8-03-24-18	0.4746
JST-R9-03-24-18	0.4524
JST-R10-03-24-18	0.4821
JST-R11-03-24-18	0.4844

[One (1) open transparent plastic sachet (marked as "J2") containing] Three (3) heat sealed transparent plastic sachet containing white crystalline substances with the following markings and net weights:

Markings	Net Weight, gram
JST-R12-03-24-18	0.0481
JST-R13-03-24-18	0.0461
JST-R14-03-24-18	0.0473

⁵ Possession of Dangerous Drugs.

⁶ RTC records, pp. 1-4.

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containing white crystalline substances known as Methamphetamine Hydrochloride (“*shabu*”) with net weight of 51.7805 [grams], all dangerous drugs.

Contrary to and in violation of . . . Section 11 of [Republic Act No.] 9165.⁷

Padillo pleaded not guilty to the crime charged and trial ensued.⁸ The prosecution and the defense presented different versions of the events.

Version of the Prosecution

To substantiate the allegations in the Information, the prosecution presented the testimonies of Forensic Chemist Romelisa A. Ibale (Ibale), Investigating Officer 2 Joerick S. Tacal (IO2 Tacal), IO2 Emil C. Ancheta (IO2 Ancheta), ABS-CBN representative Vernie G. Damolo (Damolo), and Barangay Chairman Alfred Vewalf Tan (Tan).⁹

IO2 Tacal testified that he is an agent of the Philippine Drug Enforcement Agency (PDEA)-Region 10. On March 23, 2018, at approximately 10:00 p.m., a briefing was held at their office to implement Search Warrant No. SW-208-2018,¹⁰ dated March 16, 2018, against one Roel Padillo, who was suspected of possessing an unspecified quantity of *shabu* at his residence in Zone 3, Mantangale, Balingoan, Misamis Oriental. IO2 Tacal was designated as the searching and seizing officer for the operation. At around 11:30 p.m. that same evening, the team, composed of 20 members, along with media representative Damolo of ABS-CBN, departed for Mantangale.¹¹

Upon arrival at Padillo’s residence at approximately 1:20 a.m. on March 24, 2018, IO2 Tacal called out to Padillo, announced their authority, identified himself as a PDEA agent, and informed him of the search warrant issued against him. Despite calling Padillo twice, there was no response. Finding the gate unlocked, the team entered and proceeded to the main door. After again calling out to Padillo without receiving a response, the team utilized a battering ram to gain entry.¹²

IO2 Tacal recounted that four male PDEA agents, two female PDEA agents, and Damolo entered Padillo’s house and saw Padillo exiting his room. The team then directed the other occupants, including Padillo’s wife and children, to vacate the room and remain in the living room. Shortly after,

⁷ *Id.* at 1–3.

⁸ *Rollo*, p. 24.

⁹ *Id.*

¹⁰ RTC records, p. 19.

¹¹ *Rollo*, p. 24.

¹² *Id.*

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Barangay Chairman Tan and Barangay Kagawad Canesio Maduma (Kagawad Maduma) arrived. IO2 Ancheta read the contents of the search warrant and provided Padillo with a copy in the presence of the barangay officials. IO2 Tacal then commenced the search of the premises.¹³

The initial search of the living room and kitchen area yielded no contraband. However, during the search of Padillo's room, IO2 Tacal discovered 14 sachets containing varying quantities of a white crystalline substance, suspected to be *shabu*, inside a plastic drawer. Witnesses to the search, including the barangay officials, the media representative, and Padillo, were present during the search. IO2 Ancheta subsequently informed Padillo of his constitutional rights, placed him under arrest, and handcuffed him.¹⁴ Photographs¹⁵ of the proceedings were taken by one Agent Patino. IO2 Tacal also conducted a search of the second and third rooms in the house, but no illegal drugs were found.¹⁶

IO2 Tacal proceeded to inventory and mark the seized items on the dining table inside the house. He also prepared a Receipt of Property Seized¹⁷ and a Certification of Good Conduct Search,¹⁸ both of which were signed by the witnesses. At approximately 4:20 a.m., the team returned to their office with the confiscated items. Upon arrival, IO2 Tacal filed a Return of Search Warrant¹⁹ with the issuing court, but retained the drug evidence for laboratory examination. A Request for Laboratory Examination²⁰ dated March 24, 2018, was subsequently issued by IO3 Rubylyn Alfaro of the PDEA office. IO2 Tacal delivered the request and the seized drug items to Chemist Ibale. During the trial, IO2 Tacal identified the marked pieces of drug evidence.²¹

IO2 Ancheta corroborated IO2 Tacal's testimony.²²

Media representative Damolo testified that he was a cameraman for ABS-CBN. On March 24, 2018, at around 8:00 p.m., he was contacted by PDEA personnel to participate in an operation. He arrived at the PDEA office in Pelaez Sports Center, Cagayan de Oro, at 10:00 p.m., where he observed the team conduct a briefing, though he was not permitted to participate. Subsequently, he and his driver joined the convoy of three PDEA vehicles in their company

¹³ *Id.* at 24–25.

¹⁴ *Id.* at 25.

¹⁵ RTC records, pp. 28–29.

¹⁶ *Rollo*, p. 25.

¹⁷ RTC records, p. 27

¹⁸ *Id.* at 20.

¹⁹ *Id.* at 21–22.

²⁰ *Id.* at 23.

²¹ *Rollo*, pp. 25–26.

²² *Id.* at 26.

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vehicle. They departed from Cagayan de Oro at 11:00 p.m. and arrived at Padillo's residence after two hours of travel. Damolo corroborated the material aspects of IO2 Tacal's testimony regarding the operation.²³

According to Damolo, Padillo emerged from his room, and a PDEA agent read the search warrant to him in the *sala*. The team then waited for the arrival of the barangay officials, while PDEA agents positioned themselves in the kitchen and outside the master bedroom door. Upon the arrival of Barangay Chairman Tan and his companion, the search of the living room commenced but yielded no illegal drugs. Six individuals, including Damolo, then entered the master bedroom, where IO2 Tacal searched a plastic cabinet and discovered five cellophane containers filled with white crystalline substances. Damolo testified that he was present during the inventory of the seized items and was asked to sign the Receipt of Property Seized and the Certification of Good Conduct Search.²⁴

Tan testified that he was the Barangay Captain of Barangay Mantangale, Balingoan, Misamis Oriental. At approximately 1:00 a.m. on March 24, 2018, PDEA agents arrived at his house and requested his presence as a witness during the search of Padillo's residence. Accompanied by Barangay Kagawad Maduma, they proceeded to Padillo's house, where they observed uniformed PDEA agents and joined them inside. Tan corroborated the testimony of Damolo.

Ibale testified that she has been a Forensic Chemist for the PDEA since March 2016. On March 24, 2018, at 6:30 p.m., she received a Request for Laboratory Examination on Drug Evidence from IO2 Tacal. She conducted a qualitative examination of the 14 submitted specimens and confirmed that all tested positive for methamphetamine hydrochloride, as documented in Chemistry Report No. PDEA-10-DD018-150.²⁵ Ibale further testified that she secured the specimens in a locked steel cabinet in the laboratory overnight and turned them over to the Evidence Custodian, Charlotte Roxas (Roxas), on March 25, 2018. The specimens were stored in the evidence room secured with three padlocks, each held by three different officers. On November 14, 2018, Ibale retrieved the specimens from the evidence room and presented them in court.²⁶

Version of the defense

The defense presented the testimonies of Padillo, Roger A. Glovasa (Glovasa), Roel Q. Padillo, Jr. (Roel Jr.), and Jhon Eliezer Q. Padillo (Eliezer).²⁷

²³ *Id.*

²⁴ *Id.*

²⁵ RTC records, p. 25.

²⁶ *Rollo*, p. 27.

²⁷ *Id.*

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Padillo testified to his version of the events on the night the PDEA served the search warrant. He recounted that he, his wife, and their five children were asleep in the master bedroom when they were awakened around 1:00 a.m. by the barking of their dog and the opening of the gate. He heard a voice saying, “... *please open because we have a search warrant to be served on you.*” Upon peeking through the window, he observed approximately 20 individuals wearing caps and jackets labeled “PDEA” entering his house. Padillo testified that the PDEA agents moved him, his wife, and his son, Eliezer, to the living room while the other children were transferred to another room. The search warrant was then read to him by the PDEA agents.²⁸

Padillo further testified that after the arrival of Barangay Chairman Tan, seven PDEA agents, including two female agents, and a female photographer, commenced the search. They searched the living room, kitchen, the room occupied by their employee, and the children's room. Eventually, three PDEA agents thoroughly searched the master bedroom. When they opened a drawer, one of the agents allegedly asked, “... *what is this? Is this shabu yours?*” to which Padillo responded in the negative. Padillo confirmed that he was present and observed the conduct of the search, during which photographs were taken, and an inventory of the seized items was conducted.²⁹

Glovasa, who had been living with Padillo's family since 2004, testified that he worked for Padillo and corroborated his account. Glovasa stated that he saw the PDEA agents, Padillo, Barangay Captain Tan, and Kagawad Maduma enter Padillo's room. When they exited, Padillo was already handcuffed. However, Glovasa clarified that he did not witness what transpired inside the room.³⁰

Roel Jr. testified that the PDEA agents were in uniform, wearing caps and vests, and armed. He stated that upon opening the door to the room where they slept, the PDEA agents ordered his parents and sibling to move to the living room. Subsequently, a PDEA agent entered the children's room and instructed them to move to their nanny's bedroom. Roel Jr. testified that when he returned to his parents' bedroom to retrieve his cellphone, he saw a female PDEA agent near a blue drawer but did not witness anything further as he proceeded to the nanny's room.³¹

Eliezer, another witness, corroborated the testimony of Padillo.³²

²⁸ *Id.* at 27–28.

²⁹ *Id.* at 28.

³⁰ *Id.*

³¹ *Id.* at 28–29.

³² *Id.* at 27–29.

Ruling of the Regional Trial Court

On June 14, 2021, the RTC rendered a Decision finding Padillo guilty as charged. It ruled that the chain of custody of the *corpus delicti* was established beyond a reasonable doubt. Moreover, as between Padillo's denial and his allegations of planting drugs, unsupported by evidence, and the testimonies of the prosecution witnesses, the latter's testimonies deserve more credit. The RTC characterized the prosecution witnesses' testimonies as affirmative, categorical, and straightforward and, thus, more credible than the denial of Padillo.³³

The decretal portion of the RTC Decision reads:

WHEREFORE, based on the evidence, the court hereby:

1. FINDS the accused Roel Gementiza Padillo **GUILTY** beyond reasonable doubt as a principal of the crime of violation of Section 11 ... of Republic Act No. 9165-The Comprehensive Dangerous Drugs Act of 2002 for possession of the prohibited dangerous drug methamphetamine hydrochloride or "shabu" in the total weight of 51.7805 grams. Accordingly, accused Roel Gementiza Padillo is hereby **SENTENCED** to suffer the penalty of **LIFE IMPRISONMENT** and to **PAY** the fine of [PHP 2,000,000.00], with accessory penalties under Section 35 of Republic Act No. 9165. In the service of his sentence, the period of temporary preventive imprisonment of the accused shall be credited to him in accordance with Article 29 of the Revised Penal Code;
2. ORDERS the confiscation and forfeiture in favor of the government of the 14 sachets of white crystalline substance with a total weight of 51.7805 grams, found positive of the prohibited drug methamphetamine hydrochloride or shabu, and their containers, marked as Exhibits I, J, K, K-1 up to K-5, L, L-1 up to L-3, M, and M-1 up to M-3, which were taken from the possession of the accused and or used in the commission of the crime and which are now in the custody of the court;
3. ORDERS the Branch Clerk of Court of his court to dispose the above-mentioned prohibited drug items in accordance with the pertinent provisions of Republic Act No. 9165 and the Comprehensive Dangerous Drugs Rules of 2002.

SO ORDERED.³⁴ (Emphasis in the original)

Padillo elevated the case via appeal to the CA.³⁵

³³ *Id.* at 122.

³⁴ *Id.* at 124.

³⁵ *Id.* at 21.

Ruling of the Court of Appeals

The CA found the appeal unmeritorious and affirmed the RTC's Decision. The dispositive portion of the February 23, 2023 CA Decision provides:

WHEREFORE, the Appeal is **DENIED**. The Decision dated June 14, 2021 of the Regional Trial Court, 10th Judicial Region, Branch 26, Medina, Misamis Oriental, in Criminal Case No. 2277-M(2018), finding accused-appellant, Roel Gementiza Padillo, guilty beyond reasonable doubt of Violation of Section 11 . . . of Republic Act No. 9165 is hereby **AFFIRMED**.

SO ORDERED.³⁶ (Emphasis in the original)

The appellate court found that the prosecution was able to prove the presence of each element of the crime by the testimonial, documentary, and object evidence presented.³⁷ The chain of custody rule was likewise duly complied with.³⁸

According to the CA, the non-presentation of Evidence Custodian Roxas as a witness was inconsequential. As long as the chain of custody of the seized drug was clearly established to have not been broken and the prosecution did not fail to properly identify the drugs seized, it is not indispensable that each and every person who came into possession of the drugs should take the witness stand.³⁹ Finally, the absence of the mandatory witnesses (media representative and barangay official) in the operation briefing did not nullify the validity of the operations as there is nothing in Republic Act No. 9165 which requires mandatory witnesses to be present in the briefing of the apprehending authorities prior to the operation; for such briefings usually involve confidential matters.⁴⁰

The CA also denied Padillo's Motion for Reconsideration.⁴¹ Aggrieved, Padillo filed this Petition for Review on *Certiorari* before this Court.

Padillo contends that the implementation of the search warrant violated his constitutional right against unreasonable searches and seizures.⁴² He asserts that the PDEA officers forcibly entered his house without his presence or the presence of two witnesses of sufficient age and discretion residing in the same locality, in violation of Rule 126, Section 8 of the Revised Rules of Criminal Procedure.⁴³

³⁶ *Id.* at 43–44.

³⁷ *Id.* at 43.

³⁸ *Id.* at 34.

³⁹ *Id.* at 41–42.

⁴⁰ *Id.* at 42.

⁴¹ *Id.* at 57–58.

⁴² *Rollo*, pp. 14–15; CONST., art. III, sec. 2.

⁴³ *Rollo*, p. 12.

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Padillo also reiterates that the prosecution failed to establish the chain of custody of the drugs beyond a reasonable doubt. He bases this argument on the non-presentation of Evidence Custodian Roxas as a witness, despite her custody of the specimens for nearly eight months.⁴⁴

Issues

The issues for this Court's resolution are: (1) whether the search warrant issued and implemented against Padillo was valid; (2) whether the integrity of the chain of custody was duly established; and (3) whether Padillo's guilt for violation of Section 11 of Republic Act No. 9165 was proven beyond a reasonable doubt.

Our Ruling

The Petition is meritorious, thus, We acquit Padillo.

At the outset, although a Petition for Review on *Certiorari* is generally limited to questions of law, the unique nature of an appeal in a criminal case is that the appeal throws the whole case open for review of all its aspects.⁴⁵

The prosecution failed to establish the validity of the issuance and implementation of the search warrant

Article III, Section 2 of the Constitution enshrines the fundamental right of the people against unreasonable searches and seizures.⁴⁶ This protection is a cornerstone of civil liberties, safeguarding the inviolability, sanctity, and privacy of the home by ensuring that individuals are protected from any arbitrary searches and arrests by the State.⁴⁷

For the valid issuance of a search warrant, specific requisites must be met to prevent abuse of power, viz.: (1) probable cause is present; (2) such probable cause must be determined personally by the judge; (3) the judge must examine, in writing and under oath or affirmation, the complainant and the witnesses they may produce; (4) the applicant and the witnesses testify on the facts personally

⁴⁴ *Id.* at 13–14.

⁴⁵ *People v. Ramos*, 803 Phil. 775, 783 (2017) [Per J. Perlas-Bernabe, First Division].

⁴⁶ CONST., art. III, sec. 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.

⁴⁷ *People v. Gabiosa*, 869 Phil. 848, 859 (2020) [Per J. Caguioa, First Division].

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known to them; and (5) the warrant specifically describes the place to be searched and the things to be seized.⁴⁸

Unfortunately, apart from the search warrant itself, the records are conspicuously devoid of any indication that Acting Executive Judge Giovanni Alfred H. Navarro, the issuing judge, engaged in the rigorous examination of the applicant and witnesses that the law and constitution mandates. There is no evidence that the judge propounded searching questions, which are crucial to ascertaining the presence of probable cause against Padillo. The absence of this critical judicial inquiry undermines the very foundation of the search warrant's validity.

Moreover, the records fail to elucidate why the search warrant was issued against Padillo or why the specific location was targeted for the search. Such omissions are fatal to the search warrant's validity, as they leave unanswered the essential question of whether there was a probable cause for the intrusion into Padillo's privacy.

Worse, the search warrant was implemented during nighttime. Rule 126, Section 9 of the Revised Rules of Criminal Procedure states that a warrant must be served during day time, *unless the affidavit asserts that the property is on the person or in the place ordered to be searched*, in which case a direction may be inserted that it be served at any time of the day or night.⁴⁹

While the search warrant issued against Padillo expressly directs the search to be made "at any time of the day or night",⁵⁰ the glaring absence of the application for search warrant and the affidavits of the applicant and their witnesses in the records renders it impossible for this Court to ascertain whether the requirements of Rule 126, Section 9 were satisfied.

Any reliance on the presumption of regularity in favor of the issuing judge cannot save the prosecution's case. It is well settled that the presumption of regularity cannot prevail against the constitutional rights of the accused.⁵¹ The protection against unreasonable searches and seizures demands strict adherence to the procedural requirements, and any deviation from these safeguards cannot be lightly brushed aside in favor of presumptions. The rights of the accused, particularly the presumption of innocence, must always take precedence, ensuring that justice is not only done but is seen to be done in accordance with the Constitution.

⁴⁸ *People v. Castillo*, 798 Phil. 77, 88 (2016) [Per J. Peralta, Third Division].

⁴⁹ Emphasis supplied.

⁵⁰ RTC records, p. 19.

⁵¹ *Zafe III v. People*, G.R. No. 226993, May 3, 2021 [Per J. Leonen, Third Division] at 14–15, citing *People v. Mendoza*, 736 Phil. 749, 759–770 (2014) [Per J. Bersamin, First Division]. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

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*Objections to the search warrant
were not waived*

Generally, under Rule 126, Section 14 of the Revised Rules of Criminal Procedure, any objections to the legality of the search warrant may be done either through: (1) a motion to quash the search warrant filed before the issuing court; or (2) a motion to suppress evidence filed before the court where the criminal case is pending.⁵² Any objections to the legality of the search warrant and the admissibility of the evidence obtained pursuant to the same must be raised during trial. Failure to do so results in a waiver of these objections.⁵³

However, in *Abiang v. People*,⁵⁴ this Court reiterated the need to relax this rule in situations where there is a blatant violation of the constitutional right against unreasonable searches and seizures. The Court emphasized that the protection of constitutional rights must take precedence over procedural technicalities. The courts must not presume a waiver of such fundamental rights, and any procedural noncompliance should not validate a warrant issued in disregard of constitutional safeguards.⁵⁵

In the present case, even though Padillo failed to timely object to the validity of the search warrant and the admissibility of the seized items, the Court finds it necessary to sustain his objections. Upholding the validity of a void warrant would undermine the constitutional right against unreasonable searches and seizures. The significance of this right, which aims to protect individuals from arbitrary use of power, necessitates that the Court prioritize its preservation over strict adherence to procedural rules.

Thus, in adherence to Article III, Section 3 of the Constitution, any evidence obtained pursuant to the void search warrant shall be deemed inadmissible. Without this evidence, there remains no basis to support Padillo's conviction for a violation of Section 11 of Republic Act No. 9165.

*There is a substantial gap in the
chain of custody*

Assuming for the sake of argument that the search warrant was valid, the prosecution's case must nevertheless fail for its failure to establish each link in the chain of custody beyond a reasonable doubt.

To establish the identity of the seized drugs from the accused beyond a reasonable doubt, the chain of custody must be proven in order to dispel any unnecessary doubts regarding the identity of the evidence.

⁵² RULES OF COURT, Rule 126, sec. 14.

⁵³ *Abiang v. People*, G.R. No. 265117, November 13, 2023 [Per J. Lazaro-Javier, Second Division] at 11. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

⁵⁴ *Id.*

⁵⁵ *Id.* at 11–12, citing *Ogayon v. People*, 768 Phil. 272, 288, 291 (2015) [Per J. Brion, Second Division].

We have enumerated the four links in the chain of custody that the prosecution must establish, as follows: (1) the seizure and marking, if practicable, of the illegal drug recovered from the accused by the apprehending officer; (2) the turnover of the illegal drug seized by the apprehending officer to the investigating officer; (3) the turnover by the investigating officer of the illegal drug to the forensic chemist for laboratory examination; and (4) the turnover and submission of the seized and marked illegal drug from the forensic chemist to the court.⁵⁶

In this case, a substantial gap exists in the fourth link of the chain of custody. The evidence reveals that a significant gap of eight months occurred when the drugs were in the possession of the evidence custodian and prior to its turnover to the court. This gap is further exacerbated by the fact that three individuals had access to the evidence during this period, yet none of them were presented as witnesses. Neither has it escaped the Court's attention that there is no chain of custody form presented in this case.

The failure to account for the drugs during this crucial period, coupled with the lack of testimony from those who had access, severely undermines the prosecution's case. Without a clear and unbroken chain of custody, the integrity of the evidence is compromised, casting doubt on its integrity. Therefore, even with an assumption that the search warrant was valid, the prosecution's failure to establish the chain of custody beyond a reasonable doubt warrants the acquittal of Padillo.

ACCORDINGLY, the Petition for Review on *Certiorari* is **GRANTED**. The February 23, 2023 Decision and the October 11, 2023 Resolution of the Court of Appeals in CA-G.R. CR-HC No. 02882-MIN are **REVERSED** and **SET ASIDE**. Roel Gementiza Padillo is **ACQUITTED** for failure of the prosecution to prove his guilt beyond a reasonable doubt and is ordered **RELEASED** from confinement unless he is being held for some other lawful cause.

Let a copy of this Decision be furnished to the Director General of the Bureau of Corrections, Muntinlupa City, for immediate implementation. The Director General is directed to report to this Court, within five days from receipt of this Decision, the action taken hereon.

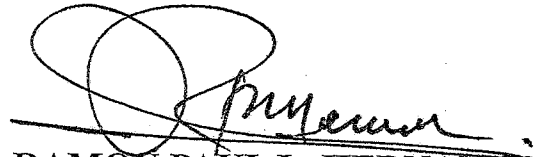
The Regional Trial Court is **DIRECTED** to turn over the sachets of methamphetamine hydrochloride to the Dangerous Drugs Board for destruction in accordance with law.

Let entry of final judgment be issued immediately.

⁵⁶ *People v. Mariano*, G.R. No. 247522, February 28, 2022 [Per J. Hernando, Second Division] at 9. This pinpoint citation refers to the copy of the Decision uploaded to the Supreme Court website.

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SO ORDERED.

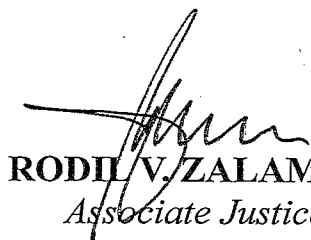


RAMON PAUL L. HERNANDO
Associate Justice
Working Chairperson

WE CONCUR:



ALEXANDER G. GESMUNDO
Chief Justice
Chairperson



RODIL V. ZALAMEDA
Associate Justice

On official business
RICARDO R. ROSARIO
Associate Justice



JOSE MIDAS P. MARQUEZ
Associate Justice

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO
Chief Justice