



Republic of the Philippines  
**Supreme Court**  
Manila

**THIRD DIVISION**

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated April 17, 2023, which reads as follows:*

**G.R. No. 257867 – PEOPLE OF THE PHILIPPINES, plaintiff-appellee, versus JEHU TACCAD Y LANOG @ “JE,” accused-appellant.**

This is an appeal under Rule 124, Section 13 of the Rules of Court from the January 8, 2021 Decision<sup>1</sup> of the Court of Appeals (CA) in CA-G.R. CR HC No. 11258. The CA affirmed the April 11, 2018 Judgment<sup>2</sup> of the Regional Trial Court, Branch 1, Tuguegarao City, Cagayan (RTC) in Criminal Case No. 19109, which found accused-appellant Jehu Taccad y Lanog @ “Je” (Taccad) guilty beyond reasonable doubt of Violation of Section 5, Article II of Republic Act No. (RA) 9165.<sup>3</sup>

*The Facts*

On August 10, 2017, Taccad was charged with Violation of Section 5, Article II of RA 9165 in an Information,<sup>4</sup> the accusatory portion of which reads:

That on August 07, 2017, in the City of Tuguegarao, Province of Cagayan, and within the jurisdiction of this Honorable Court, the accused **JEHU TACCAD y LANOG alias “JE”**, without authority of law, and without any permit to sell, transport, deliver, and distribute dangerous drugs, did then and there, willfully, unlawfully, and feloniously, sell and distribute one (1) piece heat-sealed transparent plastic sachet containing

<sup>1</sup> *Rollo*, pp. 9-35. Penned by Associate Justice Walter S. Ong and concurred in by Presiding Justice Remedios A. Salazar-Fernando and Associate Justice Victoria Isabel A. Paredes.

<sup>2</sup> *Id.* at 37-43. Penned by Judge Raymond Reynold R. Lauigan.

<sup>3</sup> Entitled “AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 2425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES,” approved on June 7, 2022.

<sup>4</sup> Records, pp. 1-2.

**METHAMPHETAMINE HYDROCHLORIDE**, commonly known as “shabu”, a **dangerous drug weighing 0.0418 gram**, to **PO2 JACINTO T. CUSIPAG**, who is a member of the PNP, designated as Intelligence Operative at the Tuguegarao City Police Station, and who acted as a poseur buyer, that when the accused handed to the poseur buyer the heat-sealed transparent plastic sachet containing the dangerous drug, the poseur buyer in turn gave to the accused the agreed purchase price of the dangerous drug in the amount of P1,000.00 consisting of **one (1) piece genuine P1,000.00 peso-bill bearing Serial No. UJ758146** which was previously marked and used as buy-bust money; that this led to the immediate arrest of the accused along the National Highway, Caggay, this City, and the recovery of the buy-bust money from his possession, control, and custody by members of the PNP designated as Intelligence Operatives at the Tuguegarao City Police Station, who formed the buy-bust team, and who acted in coordination with the members of the Philippine Drug Enforcement Agency (PDEA), Regional Office No. 02, Camp Marcelo Adduru, Tuguegarao City; that the buy-bust operation also led to the confiscation of the dangerous drugs.

CONTRARY TO LAW.<sup>5</sup> (Emphasis in the original)

When arraigned, Taccad pleaded not guilty to the charge.<sup>6</sup> After the termination of the Pre-Trial, trial on the merits ensued.

The prosecution presented the testimonies of Police Officer 2 Jacinto Cusipag (**PO2 Cusipag**),<sup>7</sup> the poseur buyer, Police Officer 2 Calixto Melad Jr. (**PO2 Melad**),<sup>8</sup> the seizing officer, and Ferdinand Gangan (**Gangan**),<sup>9</sup> the representative from the Department of Justice (**DOJ**).

The proffered testimonies of the other prosecution witnesses were admitted by Taccad and thus their presentation in court were dispensed with: (a) Police Officer 2 Dan Gliann Manongas, the investigating officer; (b) Police Senior Inspector Quintin Baquiran (**PSI Baquiran**), the leader of the buy-bust team; (c) Police Officer 2 Bryan Escobar, a member of the buy-bust team;<sup>10</sup> (d) Police Inspector Winchelle Shayne Odasco, the forensic chemist;<sup>11</sup> and (e) Senior Police Officer 1 George Carag, the evidence custodian.<sup>12</sup>

The defense presented the lone testimony of Taccad.

#### *Version of the prosecution*

<sup>5</sup> Id.

<sup>6</sup> Id. at 32, Order, dated August 31, 2017.

<sup>7</sup> TSN, October 26, 2017.

<sup>8</sup> TSN, November 23, 2017.

<sup>9</sup> TSN, December 28, 2017.

<sup>10</sup> Records, pp. 49-51, Order, dated September 12, 2017.

<sup>11</sup> Id. at 58-59, Order, dated September 28, 2017.

<sup>12</sup> Id. at 78-79, Order, dated November 13, 2017.

On August 7, 2017, at around 5:00 p.m., a confidential informant proceeded to the Tuguegarao City Police Station and reported to PSI Baquiran that a certain “Je,” later identified as Taccad, is selling *shabu* in Tuguegarao City and that he is looking for prospective buyers.<sup>13</sup>

PSI Baquiran instructed the confidential informant to contact Taccad and inform him that he has a friend who wanted to buy *shabu* amounting to ₱1,000.00. During the phone call, Taccad confirmed the order and instructed the confidential informant to bring his friend in front of Pampangueña Pension House in Caggay, Tuguegarao City, at around 8:00 p.m.<sup>14</sup>

PSI Baquiran formed a team to conduct a buy-bust operation against Taccad. During the briefing, PO2 Cusipag was designated as the poseur buyer. It was agreed that, as a pre-arranged signal, PO2 Cusipag will light a lighter as soon as the transaction is completed. PO2 Cusipag was given one ₱1,000.00 bill, with Serial No. UJ758146, which he marked with his initials, JTC.<sup>15</sup>

After the briefing, the team coordinated with the Philippine Drug Enforcement Agency Regional Office 2 in preparation for the buy-bust operation.<sup>16</sup>

At around 7:40 p.m., the team arrived at the location provided by Taccad.<sup>17</sup> PO2 Cusipag and the confidential informant waited in front of Pampangueña Pension House while the other members of the team strategically positioned themselves in the area. Taccad arrived on board a motorcycle. Upon alighting from the motorcycle, Taccad approached PO2 Cusipag and the confidential informant, who introduced PO2 Cusipag as the buyer. After a brief conversation with Taccad, PO2 Cusipag broached to Taccad his intent to buy *shabu*. Taccad then handed one (1) heat-sealed transparent plastic sachet containing white crystalline substance to PO2 Cusipag, who, in turn, handed to Taccad the buy-bust money. Thereafter, PO2 Cusipag executed the pre-arranged signal, prompting the buy-bust team to proceed to the meet-up location. PO2 Sibal introduced the team as police officers and effected Taccad’s arrest. PO2 Melad conducted a search on the person of Taccad. He recovered the buy-bust money.<sup>18</sup>

After the operation, the buy-bust team coordinated with Gangan, a representative of the DOJ, and Barangay Kagawad Vito Auayang, who went

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<sup>13</sup> Id. at 7, Affidavit of Poseur Buyer, dated August 8, 2017.

<sup>14</sup> Id.

<sup>15</sup> Id.

<sup>16</sup> Id.

<sup>17</sup> TSN, October 26, 2017, p. 10.

<sup>18</sup> Records, p. 7, Affidavit of Poseur Buyer, dated August 8, 2017.

to the place of transaction.<sup>19</sup> The inventory,<sup>20</sup> taking of photographs, and marking of the items confiscated from Taccad were made in their presence.<sup>21</sup>

On the same night, the heat-sealed transparent plastic sachet containing white crystalline substance and Taccad were brought to the Regional Crime Laboratory Office for examination and drug test.<sup>22</sup> Both the contents of the heat-sealed transparent plastic sachet and Taccad tested positive for methamphetamine hydrochloride.<sup>23</sup>

### *Version of the defense*

Taccad denied that he was arrested during a buy-bust operation and claimed that he was accosted by the police officers after buying cigarettes from a store. He insisted that the heat-sealed transparent plastic sachet containing white crystalline substance and buy-bust money were planted on him by the police officers, who were looking for a certain Boying. According to Taccad, he brought the police officers to Boying's location because they promised to let him go if he helps them locate Boying, but the police officers reneged on their promise.<sup>24</sup>

### *The Ruling of the RTC*

The RTC convicted Taccad of the crime charged. The dispositive portion of the RTC Decision reads:

WHEREFORE, the Court finds the accused JEHU TACCAD y LANOG *GUILTY BEYOND REASONABLE DOUBT* of the CRIME OF VIOLATION OF SECTION 5, ARTICLE II of REPUBLIC ACT NO. 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002, and hereby sentences him to suffer life imprisonment and a FINE of FIVE HUNDRED THOUSAND PESOS (P500,000).

The dangerous drug presented before the Court is hereby forfeited and confiscated in favor of the government and the Branch Clerk of Court is hereby directed to immediately deliver the said item to the Philippine Drug Enforcement Agency (PDEA) for proper disposition.

The Branch Clerk of Court is likewise directed to deliver the buy bust money to the Office of the Clerk of Court for proper disposition.

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<sup>19</sup> TSN, October 26, 2017, p. 30.

<sup>20</sup> Records, p. 15, Receipts and Inventory of Confiscated Items.

<sup>21</sup> Id.

<sup>22</sup> Id. at 16, Request for Drug Test, dated August 7, 2017; p. 17, Request for Laboratory Examination; p. 14, Chain of Custody Form.

<sup>23</sup> Id. at 18, Chemistry Report No. D-227-2017; p. 19, Chemistry Report No. CDT-187-2017.

<sup>24</sup> TSN, March 8, 2018; Records, pp. 122-127, Judicial Affidavit of Jehu Taccad.

Let a copy of this Judgment be furnished to the Tuguegarao City Police Station for its information and guidance.

SO DECIDED.<sup>25</sup>

The RTC gave full credence to the testimony of the prosecution witnesses on account of the presumption of regularity in the performance of their official duties and the absence of any ill motive on the part of the police officers. The RTC also held that the prosecution was able to establish the chain of custody of the seized drugs.

Aggrieved by his conviction, Taccad appealed the RTC Judgment to the CA.<sup>26</sup> In his Brief,<sup>27</sup> Taccad contended that the evidence for the prosecution failed to establish that an actual buy-bust operation was conducted against him. He also insisted that the integrity of the drugs seized from him was compromised by the police officers' failure to comply with the chain of custody requirements.

### *The Ruling of the CA*

On January 8, 2021, the CA affirmed Taccad's conviction for Violation of Section 5, Article II of RA 9165. The dispositive portion of the CA Decision reads:

The appeal is DENIED. The *Judgment* dated 11 April 2018 rendered by Branch 01 of the Regional Trial Court, Second Judicial Region, Tuguegarao City, Cagayan in Criminal Case No. 19109, finding Jehu Taccad y Lanog guilty beyond reasonable doubt of violation of Section 5, Article II of Republic Act No. 9165, is AFFIRMED.

IT IS SO ORDERED.<sup>28</sup>

The CA ruled that the clear and consistent testimonies of the prosecution witnesses were sufficient to prove the elements of the crime of Illegal Sale of Dangerous Drugs. It also found that the prosecution was able to establish that the links in the chain of custody of the seized drugs remained intact.

On February 2, 2021, Taccad filed a Notice of Appeal<sup>29</sup> with the CA under Rule 124, Section 13(c) of the Rules of Court. The records of this case

<sup>25</sup> *Rollo*, p. 43, Judgment, dated April 11, 2018.

<sup>26</sup> *Records*, p. 141, Notice of Appeal, dated May 4, 2018.

<sup>27</sup> *CA rollo*, pp. 24-53, Brief for the Accused-Appellant.

<sup>28</sup> *Rollo*, p. 35, Decision, dated January 28, 2021.

<sup>29</sup> *Id.* at 3-4.

were elevated to the Court pursuant to the February 16, 2021 Resolution<sup>30</sup> of the CA, which gave due course to Taccad's appeal.

In a Resolution,<sup>31</sup> dated March 30, 2022, the Court directed both parties to file their supplemental briefs. In their respective Manifestations,<sup>32</sup> the parties waived the filing thereof.

### *The Issue*

Did the CA commit a reversible error in affirming Taccad's conviction for Illegal Sale of Dangerous Drugs?

### *The Ruling of the Court*

The appeal is impressed with merit.

To secure a conviction for Illegal Sale of Dangerous Drugs under Section 5, Article II of RA 9165, the prosecution must establish the presence of the following elements: (1) the identity of the buyer and the seller, the object of the sale, and the consideration; and (2) the delivery of the thing sold and its payment.<sup>33</sup>

The Court finds no reason to deviate from the RTC's findings with respect to the credibility of the prosecution witnesses, which were affirmed by the CA, and finds that the elements of the sale of dangerous drugs were sufficiently established by the prosecution during the trial.

However, in drug cases, the State bears the burden not only of proving the elements of the crime, but also of proving the *corpus delicti* or the body of the crime, *i.e.*, the dangerous drug.<sup>34</sup>

Relevant to establishing the identity of the dangerous drugs is the chain of custody rule found in Section 21 of RA 9165, which reads:

SEC. 21. *Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment.* – The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as

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<sup>30</sup> Id. at 7.

<sup>31</sup> Id. at 45.

<sup>32</sup> Id. at 48-50 & 53-55.

<sup>33</sup> *People v. Cuevas*, 842 Phil. 709 (2018).

<sup>34</sup> *People v. Cabriole*, G.R. No. 248418, May 5, 2021.

instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

**(1) The apprehending team having initial custody and control of the dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment shall, immediately after seizure and confiscation, conduct a physical inventory of the seized items and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, with an elected public official and a representative of the National Prosecution Service or the media who shall be required to sign the copies of the inventory and be given a copy thereof: *Provided*, That the physical inventory and photograph shall be conducted at the place where the search warrant is served; or at the nearest police station or at the nearest office of the apprehending officer/team, whichever is practicable, in case of warrantless seizures: *Provided, finally*, That noncompliance of these requirements under justifiable grounds, as long as the integrity and the evidentiary value of the seized items are properly preserved by the apprehending officer/team, shall not render void and invalid such seizures and custody over said items.**

**(2) Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination x x x. (Emphasis supplied)**

The purpose of the rule on chain of custody is to preserve the integrity and evidentiary value of the seized dangerous drugs in order to fully remove doubts as to its identity.<sup>35</sup>

Section 21 of RA 9165 requires, among others, that the marking, physical inventory, and taking of photographs of the seized items be conducted **immediately after seizure and confiscation of the same**. The law further requires that the said inventory and taking of photographs be done in the presence of the accused or the person from whom the items were seized, or his representative or counsel, as well as certain required witnesses, namely, an elected public official and a representative of the National Prosecution Service or the media.

Construing the phrase “immediately after seizure and confiscation of the same” in Section 21 of RA 9165, the Court has previously held this phrase to mean that the three mandatory witnesses should already be physically present at the time of apprehension.<sup>36</sup>

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<sup>35</sup> *People v. Batino*, G.R. No. 254035, November 15, 2021; *People v. Baculi*, G.R. No. 249645, December 9, 2020.

<sup>36</sup> *People v. Supat*, 832 Phil. 590 (2018).

However, in the recent case of *People v. Nisperos*,<sup>37</sup> noting that the presence of the mandatory witnesses at the time of the apprehension may pose a serious risk to their lives, the Court clarified that the mandatory witnesses are not required to witness the arrest of the accused and seizure of the drugs. It is sufficient that they are readily available to witness the immediately ensuing inventory. In the said case, the Court acquitted the accused in view of the 30-minute delay between the transaction and the conduct of the inventory because of the late arrival of one of the mandatory witnesses.

Here, the prosecution's case must likewise fail on the ground that the required witnesses were not readily available at the place of apprehension but were merely "called in" after the buy-bust transaction. On cross-examination, both PO2 Cusipag and PO2 Melad admitted that their team only coordinated with the required witnesses after the buy-bust transaction:

PO2 Cusipag

Q (Atty. Mary Ann Bernardo-Sagabaen): Mr. Witness your team coordinated to (sic) the witnesses for the inventory after the transaction, do you confirm that?

A: Yes, Ma'am.

x x x x

Q: So they witnesses (sic) the transaction?

A: No Ma'am after the transaction and after the arrest of the accused we called for the witnesses.<sup>38</sup>

PO2 Melad

Q (Atty. Mary Ann Bernardo-Sagabaen): After the arrest of the target person your team coordinated for the witnessed (sic) to the inventory?

A: Yes, Ma'am.

Q: **And it took time from the time of the coordination to the time of their arrival?**

A: **Yes, Ma'am.**<sup>39</sup> (Emphasis supplied)

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<sup>37</sup> G.R. No. 250927, November 29, 2022.

<sup>38</sup> TSN, October 6, 2017, p. 30.

<sup>39</sup> TSN, November 13, 2017, pp. 27-28.



This was likewise confirmed by Gangan on cross-examination:

Q (Atty. Mary Ann Bernardo-Sagabaen): Mr. Witness there was no prior coordination made for you to witness the inventory and marking in this case before 7:00 o'clock in the evening of August 7, 2017?

A: Yes, Ma'am.<sup>40</sup>

Moreover, the Receipts and Inventory of Confiscated Items,<sup>41</sup> reveals that the same was signed by Gangan at around 8:30 p.m. while the records show that the buy-bust operation was conducted at around 7:40 p.m. Indubitably, there was a gap between the seizure of the drugs from Taccad and the conduct of the marking, inventory, and taking of photographs, which the prosecution failed to explain and justify.

It bears stressing that the burden of establishing the unbroken chain of custody is with the prosecution. This is a positive duty which the prosecution must discharge.<sup>42</sup>

While it is settled that the failure of the apprehending team to strictly comply with the procedure laid down in Section 21 of RA 9165 does not *ipso facto* render the seizure and custody over the items as void and invalid, the prosecution must satisfactorily prove that (a) there is justifiable ground for non-compliance; and (b) the integrity and evidentiary value of the seized items are properly preserved.<sup>43</sup> The justifiable ground for non-compliance must be proven as a fact, because the Court cannot presume what these grounds are or that they even exist.<sup>44</sup> In this case, the prosecution did not acknowledge, let alone provide a justification or explanation, for the foregoing noted lapses.

In sum, the prosecution's unjustified failure to comply with the requirements of Section 21 of RA 9165 resulted in a substantial gap in the chain of custody and placed the integrity and evidentiary value of the dangerous drug in question, especially since the amount involved is miniscule and thus highly susceptible to planting, tampering, or alteration.<sup>45</sup> Therefore, the Court finds Taccad's acquittal of the crime charged to be in order.

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<sup>40</sup> TSN, December 8, 2017, p. 4.

<sup>41</sup> Records, p. 15.

<sup>42</sup> *Pagal v. People*, G.R. No. 251894, March 2, 2022.

<sup>43</sup> *Edangalino v. People*, G.R. No. 235110, January 8, 2020.

<sup>44</sup> *Id.*

<sup>45</sup> *People v. Saunar*, 816 Phil. 482 (2017).

**WHEREFORE**, the appeal is **GRANTED**. The January 8, 2021 Decision of the Court of Appeals in CA-G.R. CR HC No. 11258 is **REVERSED**. Accused-appellant Jehu Taccad y Lanog @ "Je" is **ACQUITTED** of the crime charged in Criminal Case No. 19109 before the Regional Trial Court, Branch 1, Tuguegarao City, Cagayan on the ground of reasonable doubt and he is **ORDERED RELEASED** immediately from detention, unless he is being held in custody for other lawful cause.

Let a copy of this Resolution be furnished to the Director General of the Bureau of Corrections, for immediate implementation. The Director General of the Bureau of Corrections is **ORDERED** to **REPORT** to this Court within five (5) days from receipt of this Resolution the action taken in compliance with this order.

Let entry of judgment be issued immediately.

**SO ORDERED.** (Inting and Dimaampao, *JJ.*, no part due to their prior participation in the proceedings before the Court of Appeals; Lazaro-Javier and Zalameda, *JJ.*, designated as additional Members per Raffle dated March 21, 2023)

By authority of the Court:

*Misael C. Battung III*  
**MISAEAL DOMINGO C. BATTUNG III**  
Division Clerk of Court *05-15-23*

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The Presiding Judge  
REGIONAL TRIAL COURT  
Branch 1, Tuguegarao City, 3500 Cagayan  
(Criminal Case No. 19109)

Gen. Gregorio Pio P. Catapang, Jr. AFP (Ret) CESE  
Director General  
BUREAU OF CORRECTIONS  
New Bilibid Prison  
1770 Muntinlupa City

The Superintendent  
New Bilibid Prison  
BUREAU OF CORRECTIONS  
1770 Muntinlupa City

Mr. Jehu Taccad y Lanog @ "Je"  
c/o The Superintendent  
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**G.R. No. 257867**

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Republic of the Philippines  
**Supreme Court**  
Manila

**THIRD DIVISION**

PEOPLE OF THE PHILIPPINES,  
Plaintiff-Appellee,

**G.R. No. 257867**

-versus-

JEHU TACCAD y LANOG @  
"JE,"

Accused-Appellant.

x-----/

**ORDER OF RELEASE**

**TO:** Gen. Gregorio Pio P. Catapang, Jr., AFP (Ret.) CESE  
**Director General**  
BUREAU OF CORRECTIONS  
1770 Muntinlupa City

**Thru: The Superintendent**  
New Bilibid Prison  
BUREAU OF CORRECTIONS  
1770 Muntinlupa City

**GREETINGS:**

WHEREAS, the Supreme Court on April 17, 2023 promulgated a Resolution in the above-entitled case, the dispositive portion of which reads:

"**WHEREFORE**, the appeal is **GRANTED**. The January 8, 2021 Decision of the Court of Appeals in CA-G.R. CR HC No. 11258 is **REVERSED**. Accused-appellant Jehu Taccad y Lanog @ "Je" is **ACQUITTED** of the crime charged in Criminal Case No. 19109 before the Regional Trial Court, Branch 1, Tuguegarao City, Cagayan on the ground of reasonable doubt and he is **ORDERED**

- over -

**RELEASED** immediately from detention, unless he is being held in custody for other lawful cause.

Let a copy of this Resolution be furnished to the Director General of the Bureau of Corrections, for immediate implementation. The Director General of the Bureau of Corrections is **ORDERED** to **REPORT** to this Court within five (5) days from receipt of this Resolution the action taken in compliance with this order.

Let entry of judgment be issued immediately.

**SO ORDERED.”**

**NOW, THEREFORE,** you are hereby ordered to immediately release **Jehu Taccad y Lanog @ “Je,”** unless there are other lawful causes for which he should be further detained, and to return this Order with the certificate of your proceedings within five (5) days from notice hereof.

**GIVEN** by the Honorable **ALFREDO BENJAMIN S. CAGUIOA,**  
Chairperson of the Third Division of the Supreme Court of the Philippines,  
this **17<sup>th</sup>** day of **April 2023.**

By authority of the Court:

**MISAELO DOMINGO C. BATTUNG III**

*Division Clerk of Court* *05-15-23*

Special & Appealed Cases Services  
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The Presiding Judge  
REGIONAL TRIAL COURT  
Branch 1, Tuguegarao City, 3500 Cagayan  
(Criminal Case No. 19109)

Mr. Jehu Taccad y Lanog @ "Je"  
c/o The Superintendent  
New Bilibid Prison  
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The Secretary  
Department of Justice  
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