SC chief: QC judge followed rules in issuing warrants

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Despite the denunciations of leftists, the Quezon City judge who issued warrants that led to the arrest of more than 50 activists appeared to have followed the usual judicial rules, Chief Justice Diosdado Peralta said on Friday.

At the same time, the military scored leftist organizations for crying harassment over supposedly lawful arrests and challenged them to seek recourse from the courts if they feel aggrieved.

As far as the Supreme Court is concerned, Peralta said no formal complaint had been filed against Quezon City Regional Trial Court Executive Judge Cecilyn Burgos-villavert.

Villavert issued search warrants on the offices of leftist groups in Bacolod City and Escalante town in Negros Occidental

and security forces rounded up 57 group members on Oct. 31.

Thirty-one of the 57 arrested suspects were subsequently released. The police raided the office of Bagong Alyansang Makabayan in Tondo, Manila, on Nov. 5 and arrested three members.

Planted

The raids yielded 32 firearms, 130 rounds of ammunition and five pieces of explosives but the leftist groups claim they were planted by security forces.

"From what we have gathered, she followed all the rules. She is authorized to issue search warrants even if it is outside her jurisdiction," Peralta said at a press conference in Manila.

The high court could also not take the initiative to investigate the judge because there was no complaint to serve as bases and the Supreme Court could only wait for such a complaint to be filed against her.

According to information reaching the Supreme Court, Peralta said Villavert appeared to have done what was necessary to determine probable cause for the warrants.

Peralta said questions on the rulings of a judge should be elevated to the appeals court as they are judicial matters.

But there have been instances when the Supreme Court reviewed a judge's decisions and applied the principle of res ipsa loquitur (the thing speaks for itself).

"If we believed that a judge [who] rendered a decision [or] came out with a resolution misapprehended the facts, misapplied the law and later on favored a party, if we can see from this resolution and decision, then we can initiate the filing of cases or initiate the investigation of these judges," he explained.

The chief justice explained that the Supreme Court authorized judges in Manila and Quezon City to issue nationwide search warrants to promote efficiency and avoid leakage of information.

Peralta called the press briefing after leftist groups picketed the Quezon City Hall of Justice on Wednesday to denounce Villavert for issuing "patently baseless" search warrants that led to "arbitrary" and "Gestapo-like" arrests.

But military spokesperson, Brig. Gen. Edgard Arevalo argued that the military followed the proper procedure in seeking a warrant from the court.

"If they allege that the 32 firearms, 120 rounds of ammunition and five pieces of explosives were planted by lawmen, they must prove so," Arevalo added.