

Arrests, Searches, and Seizures

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31 ATENEO L.J. 9 (1988)

SUBJECT(S): SEARCH WARRANTS, WARRANTS OF ARREST

KEYWORD(S): SEARCH WARRANTS, WARRANTS OF ARREST

“A man’s house is his castle,” a maxim that has traced its roots from the concept of respect for the sacredness of the home that dates back to the ancient times up to colonial period, may not be used as a citadel of crime. The Author looks into the scope of protection afforded by the Constitution, the requisites for the issuance of search warrants and warrants of arrest, the exceptions to the requirement for a warrant, and the implementation of such warrant. By relying on well-established jurisprudence on the consequences of the illegality and the inadmissibility in evidence of the articles seized from wrongfully issued warrants, the impartial judge is entrusted by law to resolve the struggle between the competing interests of protecting human rights and prosecuting criminals. The Author believes that in order to resolve this dispute, it should be borne in mind that the constitutional right against unreasonable searches and seizures must be liberally construed.