

Title: Manotoc Jr. vs. The Court of Appeals, et al.

Facts:

Ricardo L. Manotoc, Jr., a major stockholder of Trans-Insular Management Inc. and Manotoc Securities, Inc., was implicated in alleged estafa charges following a controversy involving fake Torrens titles. Subsequent to the controversy, six criminal complaints were filed against him, resulting in the filing of corresponding criminal charges before the Rizal Court of First Instance, assigned to Judges Camilon and Pronove, under Criminal Cases Nos. 45399, 45400, and 45542 to 45545. Manotoc, having posted bail, filed motions in both courts for permission to leave the country for business reasons, which were subsequently denied. The SEC also requested the Commissioner of Immigration to bar Manotoc from leaving, which was complied with. The denials led Manotoc to file a petition for certiorari and mandamus with the Court of Appeals, which was dismissed. This prompted Manotoc to elevate the case to the Supreme Court through a petition for review on certiorari.

Issues:

1. Whether a person released on bail has an unrestricted right to travel.
2. Whether the denial of the right to travel in this case constitutes abuse of judicial discretion.
3. The application and interpretation of constitutional rights to liberty of abode and travel against the conditions of bail.

Court's Decision:

The Supreme Court dismissed the petition for review, affirming the lower courts' and the Court of Appeals' decisions. It ruled that a court indeed possesses the authority to restrict an accused released on bail from leaving the country, emphasizing that such a restriction is in line with the nature and objectives of a bail bond—to ensure the accused's availability for trial. The Court clarified that the constitutional right to travel could be lawfully restricted by court orders, especially in instances where such restrictions are necessary to secure the appearance of the accused as required by law. Manotoc's argument was deemed untenable as he failed to demonstrate the urgency of his travel, its duration, and the assent of his surety to it.

Doctrine:

A court has the discretionary power to restrict an accused released on bail from leaving the country to ensure their appearance for trial. This power is inherent in the court's duty to maintain jurisdiction over the accused. The constitutional right to travel can be lawfully

impeded by court orders or in the interest of national security, public safety, or public health, as per Section 5, Article IV of the 1973 Constitution.

Class Notes:

1. **Bail Bond:** A security given to obtain the temporary release of someone accused of a crime, with conditions that aim to ensure the accused's appearance before the court.
2. **Right to Travel:** Under the 1973 Constitution (Section 5, Article IV), this right is not absolute and can be restricted based on lawful court orders or when necessary in the interest of national security, public safety, or public health.
3. **Court's Discretion on Bail:** Courts have the discretionary authority to set conditions on bail, including travel restrictions, to ensure the accused's presence during the trial process.
4. **Surety's Consent:** The consent of the surety to the accused's travel plans is necessary when seeking permission to leave the country while on bail, as it directly affects the surety's liability and the state's assurance of the accused's court appearances.

Historical Background:

This case mirrors the judiciary's task of balancing constitutional rights against the necessity of ensuring justice and maintaining the integrity of the legal process. It emphasizes the principle that certain liberties, including the right to travel, can be restricted under specific circumstances, especially when it bears upon ensuring an accused's appearance and participation in their trial. This decision reflects the broader legal interpretation that constitutional freedoms are not absolute and can be restrained for compelling reasons, such as securing the accused's compliance with judicial procedures.