

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'22 AUG 11 P 4 :18

**SENATE**  
**S. No. 1135**

RECEIVED BY \_\_\_\_\_

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT**  
**TO FURTHER STRENGTHEN THE APPREHENSION AGAINST THE**  
**OBSTRUCTION OF JUSTICE, AMENDING FOR THE PURPOSE SECTION 1 OF**  
**PD 1829, OTHERWISE KNOWN AS PENALIZING OBSTRUCTION OF**  
**APPREHENSION AND PROSECUTION OF CRIMINAL OFFENDERS**

**EXPLANATORY NOTE**

The proper administration of justice is essential in maintaining the peace and order in any country. It entails the observance of due process in the investigation, prosecution, as well as in the apprehension of suspects in criminal cases. Thus, justice is deemed served when a criminal receives punishment fit for the criminal act that he committed – such is retributive justice in favor of the victim as well as the victim’s family. In other words, justice is attained with the help of the unrestricted stewardship of the government.

The purpose of PD 1829, otherwise known as Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders or Obstruction of Justice, is to discourage public indifference or apathy towards the apprehension and prosecution of criminal offenders. In *People vs. Pacalna* (SB-17-CRM-0049), Justice Pahimna says:

“The general meaning of “obstruction of justice” denotes an interference with the orderly administration of law, impeding or obstructing those who seek justice in court or those who have duties or power of administering justice therein.”

The current form of Section 1 of PD 1829 is as follows:

**“Section 1.** The penalty of prision correccional in its maximum period, or a fine ranging from 1,000 to 6,000 pesos, or both, shall be imposed upon any person who knowingly or willfully obstructs, impedes, frustrates or delays the apprehension of suspects and the investigation and prosecution of criminal cases by committing any of the following acts:

X x x”

An increase in the amount of the fine is in line given that PD 1829 was made in 1981. Moreover, PD 1829 can be the last resort of the prosecution if the factual allegations in the information or the evidence presented fails to depict the accused as an accessory to a crime – An accessory suffers a penalty worth 2 degrees less than that suffered by an accomplice. Further, PD 1829 is also the remedy if Chapter 4 of RA 10175 otherwise known as the Cybercrime Prevention Act of 2012 is not followed. Therefore, a stiffer penalty is essential to give the pertinent law a backbone.

Given the foregoing, the immediate passage of this measure is sought.

  
**RAMON BONG REVILLA, JR.**

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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 Section 1. Section 1 of PD1829 is hereby amended to read as follows:

2 "Section 1. The penalty of prison correccional in its maximum  
3 period, or a fine ranging from **THIRTY THOUSAND PESOS**  
4 **(P30,000.00) TO ONE HUNDRED THOUSAND PESOS**  
5 **(100,000.00)** [~~1,000 to 6,000 pesos,~~] or both, shall be  
6 imposed upon any person who knowingly or willfully obstructs,  
7 impedes, frustrates or delays the apprehension of suspects and  
8 the investigation and prosecution of criminal cases by  
9 committing any of the following acts:

10 X x x"

11 Sec. 2. *Effectivity* - This Act shall take effect fifteen (15) days after its  
12 publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*