

Resolution

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G.R. No. 179095

Petitioner Reynaldo Manalo, Raymond's older brother, was allegedly so traumatized that he was not yet ready to execute any written statement. While the brothers were in captivity, they were threatened with harm if they or their families would reveal what had been done to them. Since their escape, petitioners have purportedly been staying with trusted persons. As such, they were fearful for their safety and that of their relatives.

Hence, with the help of the Free Legal Assistance Group, petitioners Manalo brothers filed this petition for (1) prohibition, injunction, and TRO to restrain the commission or continuance of the acts which violate petitioners' right to life, liberty, and other basic rights; (2) protective custody to place petitioners in the Court's custody instead of the institutions which they distrust, that is, the Armed Forces of the Philippines (AFP), Philippine National Police, and Witness Protection Program of the Department of Justice; (3) appointment of an independent commissioner who will examine the veracity of Raymond's statement instead of producing Raymond for the examination of the Court; and (4) Inspection and Access Orders and similar reliefs so that the Court can inquire into *incommunicado* detention places mentioned by Raymond, order a medical examination of petitioners, or undertake other means of protecting them.

In our August 24, 2007 Resolution, we (1) ordered the Secretary of the Department of National Defense and the Chief of Staff of the AFP, their agents, representatives, or persons acting in their stead, including but not limited to the CAFGU to submit their Comment; and (2) enjoined them from causing the arrest of petitioners, or otherwise restricting, curtailing, abridging, or depriving them of, their right to life, liberty, and other basic rights, as guaranteed under Art. III, Sec. 1 of the 1987 Constitution.⁵

⁵ Id. at 20-21.