



Supreme Court of the Philippines OFFICE OF THE SPOKESPERSON

November 28, 2025

SC Clarifies Rules on Fugitive Status; Bars Them from Judicial Relief

The Supreme Court (SC) has clarified the procedure that courts must follow before declaring an individual a fugitive from justice.

In a Decision written by Associate Justice Samuel H. Gaerlan, the SC *En Banc* discussed who a fugitive from justice is, set the guidelines courts must apply before declaring individuals fugitives, and explained that they are barred from seeking judicial relief.

A fugitive from justice is someone who not only flees after conviction to avoid punishment, but one who also flees after being charged to avoid prosecution. The essential element is the intent to evade prosecution or punishment.

An accused is generally considered a fugitive from justice when they fail to appear physically before the court when required by law, the rules, or an order from the judge. More specifically, a person who leaves the Philippines knowing that an Information has been filed in court and that a warrant of arrest has been issued shows a clear intent to evade arrest and prosecution, making that person a fugitive from justice and possibly disentitled to any judicial relief.

For determining whether a person is a fugitive from justice, the starting point is the filing of an Information in court and the issuance of a warrant of arrest. It is vital that the person knows that an Information has been filed or that a warrant of arrest has been issued. Such knowledge may come from actual notice, such as personally receiving a copy of the Information, or from constructive notice, such as clear, public, and documented efforts by law enforcement to serve legal process even if personal service was evaded or unsuccessful.

The SC outlined the guidelines the courts must apply as follows:

1. After finding probable cause, the court shall issue a warrant of arrest.
2. The warrant of arrest, including an e-warrant, shall be implemented within 10 calendar days from its receipt by the executing officer.
3. If there is a failure to execute the warrant of arrest by reason that the accused is outside the Philippine jurisdiction, as stated in the executing officer's return, the court may, either by motion or *motu proprio*, and after assessment of the circumstances of the case, declare the accused a fugitive from justice. From then, such person loses their standing in court, can no longer



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participate in the proceedings, and cannot seek any judicial relief. They can only restore their standing before the court through voluntary surrender.

4. A warrant of arrest which was not served personally to the accused because they are outside the Philippine jurisdiction shall remain outstanding until its eventual implementation.
5. The criminal case shall be archived only if the accused remains at large for six months from the date of the issuance of the warrant of arrest or creation of the e-warrant, without prejudice to the revival of the case upon successful implementation of the warrant of arrest or upon notice to the court that the person subject of the warrant of arrest has been arrested or committed under a different warrant.

The case arose from a petition filed by Vallacar Transit, Inc. (VTI) and Nixon A. Banibane. They asked the SC to set aside the orders of the Regional Trial Court (RTC) that placed on hold the criminal proceedings for grave coercion against Ricardo V. Yanson, Jr. (Ricardo).

After Ricardo was charged, he filed, through his counsel, Fortun Narvasa & Salazar (FNS), a petition for review before the Department of Justice questioning the finding of probable cause. He later filed an urgent motion to suspend proceedings.

The Municipal Trial Court in Cities (MTCC) initially granted Ricardo's motion to suspend proceedings but later issued an order directing the release and immediate implementation of the arrest warrant against him.

The warrant, however, could not be served because Ricardo had already left the Philippines, according to the Bureau of Immigration. Through a Special Power of Attorney, Ricardo authorized Atty. Philip Sigfrid A. Fortun and/or Atty. Sheila C. Sison and FNS to represent him in any court proceeding in the Philippines.

Ricardo questioned the MTCC's order before the RTC. VTI opposed this, arguing that because Ricardo is a fugitive from justice, he and his counsel have no standing before the court.

In the meantime, Ricardo did not appear for his arraignment before the MTCC, although his counsel was present. Since Ricardo was absent and six months had already passed from the police's receipt of his arrest warrant without service, the MTCC archived the case.



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The RTC later ruled in Ricardo's favor, prompting VTI and Banibane to bring the case to the SC.

In reversing the RTC, the SC held that Ricardo should not be allowed to continue seeking affirmative relief from the courts because he left the Philippines and showed an intent to evade arrest and criminal prosecution.

The SC explained that a person who has not submitted to the court's jurisdiction has no right to invoke its processes. Jurisdiction is necessary to ensure that the court's judgment can be enforced. This requirement is not met when an accused is a fugitive or is outside the territorial jurisdiction of the Philippine courts, as in Ricardo's case.

The SC clarified its 2006 ruling in *Miranda v. Tuliao*, which held that in criminal cases, an accused waives objections to jurisdiction over his person when he files any pleading seeking affirmative relief, except when he challenges jurisdiction itself.

The SC explained that once an accused participates in the case and asks for affirmative relief, they are deemed to have submitted to the jurisdiction of the court. Even without physical custody of the accused, the court may adjudicate and rule on the reliefs sought.

The rules require an accused to be physically present only in specific instances. These include applications for bail, court-ordered identification even while on bail, arraignment, and the promulgation of judgment.

In this case, Ricardo has never been physically present before the courts, including on the date of his arraignment for grave coercion. The courts have never acquired custody over him. He left the Philippines and participated only through his counsel.

Although the ruling in *Miranda* would normally treat the filing of his motion to suspend proceedings through his counsel as submission to jurisdiction, there is no guarantee that any judgment in the case can be enforced against him because he is a fugitive from justice. This undermines the concept of criminal jurisdiction.

The SC recognized that the ruling in *Miranda* has allowed individuals who evade arrest, like Ricardo, to seek affirmative relief in criminal cases while staying outside the reach of Philippine courts.

The SC therefore found it necessary to create an exception to *Miranda* when the accused is a fugitive from justice. In such cases, jurisdiction over the person of



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the accused is not acquired simply by the filing of pleadings or participation through counsel. Custody over the person of the accused, whether through arrest or voluntary surrender, must first be obtained before the case may proceed.

The SC emphasized that those who refuse to surrender and submit to the court's jurisdiction should not be entitled to seek relief under the fugitive disentitlement doctrine.

It added that it is time to apply this rule to those who commit or are suspected of committing crimes and then flee outside Philippine jurisdiction. Applying this rule strengthens the justice system and protects due process rights, which both the accused and the State are equally entitled to.

The SC remanded the case to the MTCC to apply the guidelines and determine if the warrant of arrest could not be executed because Yanson is outside Philippine jurisdiction, and if so, to declare him a fugitive from justice not entitled to any judicial relief.

Senior Associate Justice (SAJ) Marvic M.V.F. Leonen, in his Concurring and Dissenting Opinion, agreed with the application of the doctrine of fugitive disentitlement, but argued that the criminal proceedings for grave coercion should have been suspended because pending intra-corporate cases between VTI and Ricardo and his siblings, which involve an element of the crime, create a prejudicial question.

In Associate Justice Alfredo Benjamin S. Caguioa's Dissenting and Concurring Opinion, he agreed with the clarified definition of a fugitive, but maintained that the petition should be denied, as the ongoing intra-corporate disputes between VTI and Ricardo and his siblings likewise present a prejudicial question to the grave coercion case. (*Courtesy of the SC Office of the Spokesperson*)

This press release is prepared for members of the media and the general public by the SC Office of the Spokesperson as a simplified summary of the SC's Decision. For the SC's complete discussion of the case, please read the full text of the Decision in [G.R. No. 259337 \(*Vallacar Transit, Inc. v. Ricardo V. Yanson, Jr.*\), November 25, 2025](#); the [Concurring and Dissenting Opinion of SAJ Leonen](#); and the [Dissenting and Concurring Opinion of Justice Caguioa](#).