



Republic of the Philippines  
Supreme Court  
Office of the Court Administrator  
Manila

**OCA CIRCULAR NO. 30-2023**

**TO : ALL TRIAL COURT JUDGES**

**SUBJECT : ACTING ON APPLICATIONS FOR BAIL DURING WEEKENDS**

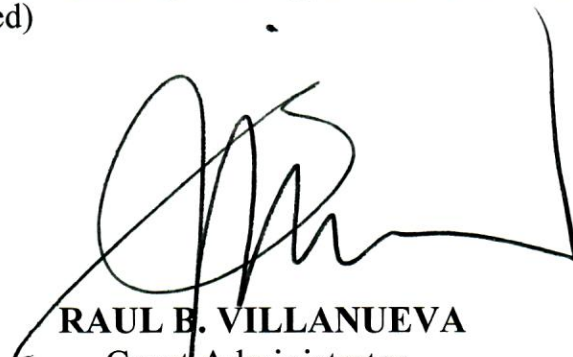
Bail is the security given for the release of a person in custody of the law, furnished by him/her or a bondsman, to guarantee his/her appearance before any court as required under the conditions hereinafter specified.<sup>1</sup> Essentially, before conviction by the Regional Trial Court of an offense not punishable by death, *reclusion perpetua*, or life imprisonment<sup>2</sup>, bail is a matter of right. The right to bail is enshrined in no less than the Constitution<sup>3</sup>, without qualification as to when or what day the application for bail shall be acted upon.

As such, a person incarcerated during the weekend when government offices and courts are closed shall not be made to suffer prolonged detention as a consequence thereof. The Court enunciated in the case of *Rodriguez vs. Hon. Noel, Jr.*<sup>4</sup>, that neither the law nor the rules should prevent judges from acting on bail applications submitted to them on a weekend, *viz*:

“In short, while the petition for bail was filed with the OCC only on June 29, 2015 [Monday], the application for bail and comment thereon by the City Prosecutor had been submitted to and considered by respondent [Executive Judge] on June 28, 2015 [Sunday] before he issued the order for the temporary release of the accused. There is nothing in the law or the rules that prevented respondent [Executive Judge] from acting on the bail application submitted to him on a weekend. Accordingly, respondent acted in accordance with the rules in granting the application for bail.” (underscoring and editing supplied)

For information and guidance.

25 January 2023



**RAUL B. VILLANUEVA**  
Court Administrator

*MMA/RTJ/CPP/CircBailWeekend*

<sup>1</sup> Rule 114, Section 1. *Bail defined.* The Revised Rules of Court in the Philippines (as amended).

<sup>2</sup> Section 4. *Bail, a matter of right; exception., ibid.*

<sup>3</sup> Section 13, Article III, Bill of Rights.

<sup>4</sup> A.M. No. RTJ-18-2525 (Formerly OCA IPI No. 15-4435-RTJ). June 25, 2018, Perlas-Bernabe, J.