

Title: Gallardo et al. v. People of the Philippines

Facts:

Atty. Victor dela Serna, on behalf of Public Health Workers (PHWs) of Bansalan, Davao del Sur, filed a sworn letter-complaint with the Office of the Ombudsman-Mindanao against municipal officials of Bansalan for non-appropriation in the municipal budget of amounts for unpaid salary differentials and magna carta benefits of PHWs. The respondents in the case included Mayor Arturo A. Gallardo, Vice-Mayor Peter Melchor J. Arches, and several Sangguniang Bayan members, among others.

Ombudsman Aniano A. Desierto approved the indictment for violation of Section 3(e) of Republic Act No. 3019 on January 8, 1999. An Information was subsequently filed with the Sandiganbayan on January 13, 1999.

Petitioners filed a Motion for Reinvestigation on February 24, 1999, which was granted by Sandiganbayan. The reinvestigation led to a resolution recommending dismissal of the case due to lack of probable cause, but this was disapproved by the Ombudsman, with a notation to let the court decide the case's merit.

On November 15, 1999, petitioners filed a Motion to Quash, which was denied by Sandiganbayan on January 6, 2000. The court reasoned that the averments in the Information sufficiently charged the offense and that the Ombudsman's previous decisions in similar cases do not demonstrate denial of due process or equal protection of the laws. The petitioners then filed an appeal by certiorari under Rule 45.

Issues:

The issues raised concerned:

1. Whether the facts charged constitute an offense.
2. Whether there was a denial of due process.
3. Whether the petitioners were accorded the equal protection of the laws.
4. Whether the Sandiganbayan correctly ruled despite the findings of the Office of the Special Prosecutor.

Court's Decision:

The Supreme Court dismissed the petition, ruling that:

1. The charges in the Information did constitute a violation of Section 3(e) of R.A. 3019.
2. There was no denial of due process; the Ombudsman had the discretion to approve or disapprove the investigating prosecutor's recommendation.

3. There was no violation of equal protection; any classification made by the Ombudsman was based on real and substantial differences among the cases.
4. The findings of the Office of the Special Prosecutor could not bind the Sandiganbayan; the Ombudsman's decision prevails.

Doctrine:

The principle that an interlocutory order does not constitute a final judgment or order for the purposes of Rule 45 appeal was reiterated. Also, the Office of the Ombudsman's broad discretion in determining whether probable cause exists and whether to pursue or dismiss complaints was affirmed.

Class Notes:

- Use of Rule 45 applies to judgments or final orders.
- Order denying a motion to quash is interlocutory, does not dispose of a case completely.
- The standard for probable cause in determining whether to prosecute is whether there's a well-founded belief of guilt.
- The Ombudsman's discretion on the matter is not subject to judicial review absent grave abuse of discretion.
- Evidentiary defenses, such as good faith, are more appropriately addressed at trial.

Historical Background:

In the context of public administration and adherence to anti-graft laws, this case involves the checks on municipal government officials by state prosecutors and illustrates the scope and limitations of both prosecutorial discretion and judicial review concerning alleged abuses of official duties under R.A. 3019 or the "Anti-Graft and Corrupt Practices Act."