

**\*\*Title:** Malayan Insurance Company, Inc. and Helen Y. Dee vs. Philip Piccio, et al. / Malayan Insurance Company, Inc. vs. Philip Piccio, et al.**\*\***

**\*\*Facts:\*\***

This case evolved from complaints filed by Jessie John P. Gimenez on behalf of the Philippine Integrated Advertising Agency against Philip Piccio and others for posting defamatory statements on a website, allegedly tarnishing the reputation of the Yuchengco family and the Yuchengco Group, which includes Malayan Insurance. Based on the prosecutor's finding of probable cause, thirteen informations for libel were filed.

In two specific cases (No. 06-877 and 06-882), the respondents filed a Motion to Quash on grounds of lack of jurisdiction, among others. The Makati Regional Trial Court (RTC), Branch 137, granted the motion, dismissing the cases due to lack of jurisdiction highlighted by not specifying the residence of the offended parties or the site of first publication in Makati. An appeal was made but was denied by the Court of Appeals (CA) since it was not authorized by the Office of the Solicitor General (OSG).

Similarly, in case No. 06-884, a Motion to Quash was filed, leading to the case's dismissal by the Makati RTC, Branch 62, again for lack of jurisdiction among other reasons. Malayan Insurance appealed, but the CA dismissed the appeal based on jurisdictional grounds, referring to a controlling precedent.

**\*\*Issues:\*\***

1. Whether the CA erred in dismissing the appeals for lack of OSG's authorization and on jurisdictional grounds.
2. Whether libel cases related to internet publications should specify the place of printing and first publication for jurisdictional purposes.

**\*\*Court's Decision:\*\***

1. In G.R. No. 203370, the Supreme Court upheld the CA's dismissal of the appeal due to the lack of OSG's authorization. It emphasized that the authority to represent the State in criminal appeal cases rests solely with the OSG. Hence, the appeal by Malayan Insurance, lacking such authorization, was correctly dismissed.

2. In G.R. No. 215106, the appeal was dismissed due to similar reasoning about the lack of authorization from the OSG. The Supreme Court did not address the merits of the

jurisdictional issues raised because the appeal itself was improperly filed without the OSG's consent.

**\*\*Doctrine:\*\***

The authority to represent the government in appeals of criminal cases before the Supreme Court and the CA is vested in the OSG. In criminal cases resulting in dismissal or acquittal at the trial court level, only the OSG may appeal the criminal aspect representing the State. Venue for libel crimes, especially concerning internet publication, requires precise allegations on the place of printing and first publication to establish jurisdiction.

**\*\*Class Notes:\*\***

- **\*\*Authority of the OSG:\*\*** The OSG has exclusive authority to file appeals in criminal cases on behalf of the State. Any appeal in criminal proceedings without its authorization is dismissible.
- **\*\*Venue in Libel Cases:\*\*** The venue for libel cases, particularly those involving internet publication, mandates specific allegations regarding where the libelous material was printed and first published for jurisdiction to be properly established.
- **\*\*Separation of Civil and Criminal Aspects in Appeals:\*\*** Private complainants may appeal insofar as the civil liability of the accused is concerned without needing OSG's intervention.

**\*\*Historical Background:\*\***

The decisions underscore the procedural intricacies in prosecuting libel cases stemming from internet publications. By affirming the importance of the OSG's role in appeals and the necessity for precise jurisdictional allegations in internet-based libel cases, the Supreme Court highlights evolving legal challenges in the digital age. This reinforces the principle that legal processes must adapt to technological advancements while safeguarding judicial and prosecutorial prerogatives.