

Title: People of the Philippines vs. Hon. Procoro J. Donato and Rodolfo C. Salas AKA “Commander Bilog”

Facts:

The case originated with the filing of Criminal Case No. 86-48926 by the People of the Philippines against Rodolfo Salas, alias “Commander Bilog,” and his co-accused for the crime of rebellion under Articles 134 and 135 of the Revised Penal Code. Salas was arrested on September 29, 1986, and was in military custody following his capture. A petition for habeas corpus was quickly filed but was dismissed based on an agreement that Salas would remain in custody and face trial.

Salas subsequently filed a motion to quash the information, which was denied by respondent Judge Donato. Instead of reconsidering the denial, Salas filed a petition for bail. The prosecution opposed the bail on the grounds that the crime of rebellion was a capital offense, hence, non-bailable if evidence of guilt was strong. However, with the issuance of Executive Order No. 187 by the President, the penalty for rebellion was reduced, making it bailable.

Judge Donato granted the motion for bail, initially setting it at P30,000.00 and later raised it to P50,000.00 despite the prosecution’s motion which presented concerns over Salas’s likelihood to flee and rejoin the rebellion.

Issues:

1. Whether the right to bail can be denied for a person charged with a bailable offense under certain circumstances.
2. Whether the right to bail can be waived.
3. Whether Judge Donato acted with grave abuse of discretion in granting bail to Salas and in the determination of bail amount without considering the prosecution’s evidence.

Court’s Decision:

The Supreme Court annulled and set aside the Orders of Judge Donato granting bail to Salas. The Court held that:

1. Rebellion, as charged, became a bailable offense after the issuance of Executive Order No. 187. However, Salas had previously waived his right to bail as part of an agreement during a habeas corpus petition, making his application for bail inappropriate.
2. The Court affirmed that constitutional rights, including the right to bail, can be waived, provided the waiver does not contravene public policy or law.

3. It was concluded that Judge Donato acted with grave abuse of discretion by not allowing the prosecution to present evidence regarding the bail amount and by granting bail disregarding the waiver of the right to bail by Salas.

Doctrine:

The decision established that constitutional rights, such as the right to bail, can be waived by an individual, as long as such waiver is not contrary to law, public order, morals, or prejudicial to third persons.

Class Notes:

- The right to bail can be waived by an accused, and such waiver must be voluntary, intentional, and knowing.
- Even rights guaranteed by the constitution can be waived, provided the waiver is not against public policy, law, or prejudicial to third persons.
- In cases where bail is a matter of right, the prosecution does not have the right to present evidence to deny bail. However, in discretion cases, the prosecution must be allowed an opportunity to present evidence.
- The Court's discretion in granting bail in non-capital offenses is limited to determining the amount of bail based on factors outlined in the Rules of Court, and not on whether bail should be granted.

Historical Background:

This case illustrates the complexities of the legal system during a politically turbulent period in Philippine history marked by active insurgencies. It demonstrates the balance between individual rights and state security, highlighting the particular context of dealing with accused persons involved in rebellions against the government.