

Title: Vicente Foz, Jr. and Danny G. Fajardo vs. People of the Philippines

Facts:

In July 1994, an article was published in the Panay News, implicating Dr. Edgar Portigo, an Iloilo City medical practitioner, in professional misconduct, leading to the death of a patient, Lita Payunan. Vicente Foz, Jr., the columnist, and Danny G. Fajardo, the Editor-Publisher, were charged with libel. They pleaded not guilty, and after a trial, in December 1997, the RTC found them guilty. The decision was upheld by the CA in November 2004, and their motion for reconsideration was denied in April 2005. They elevated the case to the Supreme Court on grounds challenging the finding of libel, the existence of malice, and the conviction of Fajardo as merely the publisher.

Issues:

1. Whether the article constituted “libelous” content under Article 353 of the Revised Penal Code.
2. The existence of malice in the publication of the article.
3. The culpability of petitioner Fajardo as the newspaper’s publisher.
4. The jurisdiction of the RTC based on the venue of libel as alleged in the Information.

Court’s Decision:

The Supreme Court centered on the jurisdiction issue, which was raised for the first time in the appeal’s reply stage. Citing the principle that jurisdictional challenges can be raised at any stage of the proceedings, the Court scrutinized the Information against the venue provisions for libel cases under Article 360 of the Revised Penal Code. The Court concluded that the Information failed to establish that the alleged libelous article was printed and first published in Iloilo City or that Dr. Portigo was actually residing there at the time of the offense. Consequently, the Court found that the RTC of Iloilo City lacked jurisdiction over the case, voided its decision, and dismissed Criminal Case No. 44527 without prejudice to refile in the proper court.

Doctrine:

The Supreme Court reiterates the doctrine that venue in libel cases, as an element of jurisdiction, should be explicitly delineated in the Information. The decision emphasizes the specificity required in libel charges concerning the place of publication and the residence of the offended party, as mandated by Article 360 of the Revised Penal Code.

Class Notes:

- **Libel**: For a writing to be libelous under Article 353 of the Revised Penal Code, it must impute a discreditable act or condition to someone, and the defamatory imputation must be made publicly.
- **Malice**: In libel cases, malice must be proven unless it is presumed from the libelous nature of the writing.
- **Venue**: Jurisdiction in libel cases hinges on the specific venue stipulations under Article 360 of the Revised Penal Code. The Information must state that the libel was printed and first published in the jurisdiction of the court or that the offended party was residing there at the time of the offense.
- **Publisher's Liability**: The editor or business manager of a publication can be responsible for defamations contained within, to the same extent as if they were the author.

Historical Background:

This case highlights the ongoing challenges in Philippine law regarding the balance between freedom of the press and individual reputation. The stringent provisions for establishing venue in libel cases underline the complexity of prosecuting alleged defamation within the archipelagic nation, reflecting its commitment to procedural detail.