**Title:** Mayor Bai Unggie D. Abdula and Odin Abdula vs. Hon. Japal M. Guiani

**Facts:** The case revolves around a complaint for murder, docketed as I.S. No. 94-1361, filed before the Criminal Investigation Service Command, ARMM Regional Office XII against Mayor Bai Unggie D. Abdula, Odin Abdula, and six others concerning the death of Abdul Dimalen. Subsequently, the Provincial Prosecutor of Maguindanao dismissed the charges against the Abdulas due to insufficient evidence but recommended murder charges against one respondent, Kasan Mama. This decision was initially adhered to by Judge Japal M. Guiani, who requested a reinvestigation due to procedural discrepancies.

Upon reinvestigation by a new prosecutor, evidence submitted led to a finding of a prima facie case for murder against the Abdulas and three others. Charges were filed accordingly despite the Provincial Prosecutor's self-inhibition due to personal connections to the case. Following the filing of charges, Judge Guiani issued a warrant of arrest without bail against the Abdulas, which they sought to set aside through various legal moves, including an ex-parte motion and a petition for review to the Department of Justice, claiming the information was prematurely filed. Their efforts were unfruitful, leading to the filing of this petition for certiorari and prohibition against the issuance of the warrant by Judge Guiani, claiming judicial overreach and bias.

**Issues:**
1. Whether the second information for murder filed was legal.
2. The validity of the warrant of arrest issued against the petitioners.
3. The alleged bias and orchestrating of charges by Judge Guiani against the Abdulas.

**Court's Decision:** The Philippine Supreme Court ruled in favor of the Abdulas, highlighting several procedural and substantial missteps through the criminal process. It noted that the recusal of the Provincial Prosecutor did not tarnish the information's validity, as the investigating prosecutor was adequately authorized to proceed. However, it identified a crucial failure in the issuance of the warrant of arrest, as Judge Guiani did not personally determine probable cause but instead relied solely on the prosecutor's certification. This contravened the constitutional mandate for judges to determine probable cause "personally," leading to the invalidation of the arrest warrant and a remand for proper determination.

**Doctrine:** The case emphasized the constitutional requirement for judges to personally determine probable cause when issuing a warrant of arrest, highlighting the distinct

objectives of prosecutors and judges in this determination and underscoring the judicial responsibility to not solely rely on the prosecutor's assessment.

**Class Notes:**
– The distinction between the role of prosecutors and judges in determining probable cause is crucial; while prosecutors evaluate whether there's reasonable ground to charge a person, judges assess the necessity of immediate custody to prevent the frustration of justice.
– Judges cannot solely rely on the prosecutor's recommendation for issuing a warrant of arrest but must independently evaluate supporting evidence.
– A judge's personal determination of probable cause for arrest warrants is a constitutional requisition, indicative of a higher degree of responsibility and discretion.

**Historical Background:** This case illustrates the strained dynamics between judicial discretion, prosecutorial conduct, and defendants' rights within the Philippine legal system. It serves as a significant reminder of the judiciary's duty to uphold constitutional safeguards against unreasonable arrests and the balance between expediency and thorough judicial review in the pre-trial process.