

Title: **Francisco S. Tatad vs. The Sandiganbayan and The Tanodbayan**

**Facts:**

The case originated when Antonio de los Reyes, formerly associated with the Department of Public Information (DPI), filed a formal report in October 1974, alleging violations of the Anti-Graft and Corrupt Practices Act (Republic Act No. 3019) by Francisco S. Tatad, the then Secretary of DPI. This initial complaint apparently was not acted upon until Tatad's resignation in 1979, following which a formal complaint was lodged with the Tanodbayan in December 1979. The Tanodbayan referred the complaint for investigation in April 1980, and by June 1980, an investigation report recommended filing charges against Tatad. Despite the case being ready for disposition by October 1982, it wasn't until July 1985 that resolutions were approved to file criminal informations against Tatad for violations of RA 3019.

The Sandiganbayan received five criminal charges in June 1985, but Tatad filed a motion to quash these in July, citing various grounds including deprivation of due process and right to a speedy disposition, among others. The Tanodbayan opposed the motion, and the Sandiganbayan denied Tatad's motion on August 9, 1985. After a denied motion for reconsideration and amidst changes in the political landscape and administration, Tatad took the matter to the Supreme Court, arguing mainly on the violation of his rights to due process and speedy trial due to the delayed filing of the criminal informations.

**Issues:**

1. Whether the prolonged delay in filing the case violated Tatad's right to due process and speedy trial.
2. Whether the offenses charged had prescribed.
3. The issue of discriminatory prosecution against Tatad.
4. The question of amnesty raised by Tatad.
5. Whether the lack of prima facie evidence justified quashing the informations.

**Court's Decision:**

The Supreme Court sided with Tatad, ruling that the significant delay in the termination of the preliminary investigation and subsequent filing of informations against him was violative of his constitutional rights to due process and speedy disposition of the cases. The Court highlighted that political motivations appeared to influence the prosecutorial process and deemed the nearly three-year delay in resolving the preliminary investigation unreasonable. Consequently, the Supreme Court dismissed the criminal informations against Tatad and

made the temporary restraining order issued on October 22, 1985, permanent.

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

The Supreme Court reasserted the doctrine that substantial adherence to the procedures and time limitations prescribed by law for preliminary investigations is essential to the due process rights of the accused. Delays that cannot be justified violate the constitutional rights to due process and speedy disposition of cases.

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

- Due Process in Preliminary Investigations: Requires adherence to procedural requirements and time limitations set by law.
- Right to Speedy Disposition: Unjustified delays in investigations or filings infringe upon this constitutional guarantee.
- Political Motivations: The influence of political motivations in prosecutorial processes undermines the impartiality required in administering justice.
- Prescription of Offenses: The timeliness of the filing of charges is crucial to ensure that the right to prosecute has not been forfeited due to lapse of time.
- Judicial Remedies: In cases of prolonged delays and perceived injustices, recourse through higher courts (e.g., Supreme Court) is available to assert constitutional rights.

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

This case reflects the tension between the judiciary and the political climate, particularly during periods of transition such as changes in administration. It underscores the judicial system's role in upholding constitutional rights against potential abuses stemming from political motivations. The case also exemplifies the importance of the Supreme Court's oversight in ensuring that prosecutorial discretion is exercised impartially, without undue delays, and in strict adherence to procedural laws.