

Title: Rodis Sr. v. Sandiganbayan, Second Division and People of the Philippines

Facts:

- Charges:** Hermilo V. Rodis Sr., former President of PHILFINANCE, was charged with five counts of violation of Section 3(b) of the Anti-Graft and Corrupt Practices Act (Republic Act No. 3019) before the Sandiganbayan in Criminal Cases Nos. 10389, 10390, 10391, 10393, and 10394.
- Motion to Quash:** On May 31, 1985, Rodis filed a motion to quash the informations due to lack of preliminary investigation and prayed to hold the issuance of warrants of arrest in abeyance while seeking reinvestigation by the Tanodbayan.
- Prosecution's Opposition:** The prosecution opposed the motion, arguing that lack of preliminary investigation is not a valid ground for quashing information as per Sec. 3, Rule 117 of the 1985 Rules on Criminal Procedure. They suggested Rodis file a petition for reinvestigation according to the Tanodbayan's rules.
- Reply and Petition for Reinvestigation:** Rodis replied, countering that lack of preliminary investigation is a valid ground, and filed a petition for reinvestigation with the Tanodbayan on June 24, 1985.
- Sandiganbayan Resolution:** On July 15, 1985, while the petition for reinvestigation was pending, the Sandiganbayan denied Rodis' motion to quash, suggesting he seek reinvestigation through the Tanodbayan.
- Supreme Court Petition:** Rodis elevated the matter to the Supreme Court via a petition for certiorari, claiming grave abuse of discretion by the Sandiganbayan and asserting the need for preliminary investigation.
- Temporary Restraining Order:** The Supreme Court issued a TRO on August 1, 1985, halting the proceedings in the Sandiganbayan.

Issues:

- Validity of Proceedings without Preliminary Investigation:** Whether the absence of preliminary investigation is a ground to quash the information.
- Grave Abuse of Discretion:** Whether the Sandiganbayan committed grave abuse of discretion amounting to lack or excess of jurisdiction by denying the motion to quash without addressing the petition for reinvestigation.
- Proper Remedy:** What the proper legal remedy should be when an accused claims he was denied a preliminary investigation.

Court's Decision:

- Preliminary Investigation and Jurisdiction:** The Court reiterated that the lack of

preliminary investigation does not affect the court's jurisdiction over the case nor the validity of the information. However, preliminary investigation is crucial to protecting individuals from unwarranted prosecutions.

2. **Proper Procedure:** If an accused was not given a preliminary investigation, he should request a reinvestigation, as stated in Sec. 3 (d) of Rule 112 of the 1985 Rules on Criminal Procedure. The preliminary investigation should ensure an accused can present their side unless they cannot be subpoenaed.

3. **Judgment Affirmed but Modified:** The Court affirmed the Sandiganbayan's decision but ordered it to hold in abeyance any proceedings related to Rodis pending the outcome of the reinvestigation by the Tanodbayan.

Doctrine:

The Court established that while the absence of a preliminary investigation does not invalidate a court's jurisdiction or the information filed, due process requires remedial action to conduct a preliminary investigation before proceeding with trial. This doctrine ensures fairness in the criminal justice system by protecting the rights of individuals against unfounded prosecutions.

Class Notes:

- **Preliminary Investigation (Sec. 3, Rule 112):** Essential to prevent hasty, malicious, and oppressive prosecutions.
- **Grounds for Motion to Quash (Sec. 3, Rule 117):** Lack of preliminary investigation is not enumerated but is integral to due process.
- **Remedial Procedure:** If an accused is denied preliminary investigation, he must seek reinvestigation.
- **Jurisdiction vs. Procedural Rights:** Lack of preliminary investigation does not strip court jurisdiction but calls for procedural remedy before proceeding to trial.

Historical Background:

The case arose during a heightened period of scrutiny and reform in the Philippine financial sector, exacerbated by the fallout from large-scale corporate governance failures. The Anti-Graft and Corrupt Practices Act (RA 3019) was enacted to address systemic corruption and mitigate financial malfeasance, reflecting the prevalent concern over public accountability and integrity during the mid-1980s transition from the Marcos regime.