

Title: Bautista and Alcantara vs. Cuneta-Pangilinan, G.R. No. 189754

Facts:

1. **February 19, 2002**: The Office of the City Prosecutor of Mandaluyong City filed two informations for libel against Pete G. Ampoloquio, Jr., Lito Bautista, and Jimmy Alcantara.
2. **Allegations**: The articles published in the tabloid Bandera described Sharon Cuneta-Pangilinan as having various derogatory traits, impacting her public reputation. The exact defamatory content spanned multiple publications.
3. **Arraignment**: Accused pleaded not guilty and proceeded to joint pre-trial and trial.
4. **Respondent's Evidence**: Included an undated Complaint-Affidavit alleging Bautista and Alcantara's roles as Editor and Associate Editor respectively.
5. **Prosecution's Formal Offer**: Dated October 11, 2006, encompassing respondent's affidavit amongst other evidence.
6. **November 14, 2006**: Petitioners filed a Motion for Leave of Court to File Demurrer to Evidence.
7. **April 25, 2008**: RTC granted the Demurrer to Evidence filed by Bautista and Alcantara, dismissing the libel charges.
8. **Prosecution's Motion to Admit**: On May 29, 2008, to include a missed Comment filed through registered mail.
9. **June 3, 2008**: RTC admitted the prosecution's comment.
10. **August 19, 2008**: Respondent filed a Petition for Certiorari with the CA.
11. **May 19, 2009**: CA reversed the RTC's April 25, 2008, order granting the Demurrer to Evidence and ordered further proceedings.
12. **September 28, 2009**: CA denied the Petitioners' Motion for Reconsideration, leading to a petition filed by the respondents to the Supreme Court.

Issues:

1. **Double Jeopardy**: Whether the CA's decision to reverse the RTC's dismissal violates the double jeopardy clause.
2. **Authority to File an Appeal**: Whether the respondent had the legal standing to file the petition for certiorari.
3. **Grave Abuse of Discretion**: Whether the RTC committed grave abuse in granting the demurrer to evidence filed by petitioners.

Court's Decision:

1. **Double Jeopardy**:
 - The Supreme Court emphasized that acquittal or the granting of a demurrer to evidence is

an adjudication on the merits. Reversing such an order indeed constitutes double jeopardy.

- Since the demurrer was granted, petitioners were effectively acquitted; hence, they cannot be retried.

2. **Authority to Appeal**:

- Only the Solicitor General may represent the state in appeals of criminal cases. The private complainant's role is limited to civil liabilities arising from criminal acts.

- Since the petition to the CA was filed by the respondent and not the Solicitor General, the CA petition was held procedurally defective.

3. **Grave Abuse of Discretion**:

- The Supreme Court upheld the RTC's discretion in assessing evidence. The prosecution's lack of opposition did not automatically impinge due process.

- The RTC's finding of insufficient evidence to implicate the petitioners was within proper judicial discretion, and any examination at this level would breach the double jeopardy protection.

Doctrine:

- **Double Jeopardy**: An acquittal, whether through judgment or demurrer to evidence, cannot be reversed, ensuring the accused cannot be tried again for the same offense.

- **Role of Solicitor General**: Represents the state in criminal appeals. Private complainants' appeal rights are confined to civil aspects.

- **Demurrer to Evidence**: If granted, it equates to acquittal, insulating the accused under double jeopardy provisions.

Class Notes:

- **Elements of Libel**: Defamatory imputation, publication, identification, malice, and damages.

- **Double Jeopardy Clause**: Protected under the Constitution and stipulates no person shall be tried twice for the same offense.

- **Article 360 of the Revised Penal Code**: Holds varied personnel like authors, editors, or business managers of publications liable for libel.

- **Rules on Demurrer**:

- Section 23, Rule 119, Rules of Court:

"After prosecution rests its case, defendant can file a motion to dismiss based on insufficiency of evidence."

- Impact: A ruling in favor equates to acquittal.

Historical Background:

This case delves into defamation laws in the Philippines against the backdrop of pressing freedom of expression on editors and authors. The legal thresholds for libel and the rigorous protection against double jeopardy reflect a balance between safeguarding reputations and upholding judicial fairness in criminal prosecution. The judicial proceedings underscore procedural preciseness, where deviations by non-qualified parties can vitiate case rulings.