

Title: Cabib Alonto Tanog vs. Hon. Rasad G. Balindong and Gapo Sidic, G.R. No. 773 Phil. 542 (2015)

Facts:

- Incident:** On July 5, 2004, Cabib Tanog, Jr. was shot and killed inside the canteen of Dansalan College Foundation, Inc. in Marawi City.
- Arrest:** The Marawi City police apprehended Gapo Sidic at a checkpoint later that day.
- Complaint:** On July 8, 2004, Cabib Alonto Tanog Sr. filed a complaint for murder against Sidic and others.
- Prosecutor's Resolution:** On August 3, 2004, the City Prosecutor found probable cause and recommended filing an information for murder.
- Information Filed:** An information for murder was filed against Sidic and others in RTC Marawi City, Branch 9.
- Arrest Orders:** Judge Amer Ibrahim issued orders of arrest against the accused, including Sidic.
- Motion to Fix Bail:** On January 8, 2005, Sidic filed a motion to fix bail. The prosecution presented four witnesses.
- Judge's Death and Case Re-affle:** After Judge Ibrahim's death and other judicial reassignments, the case was reassigned to Judge Rasad G. Balindong, Acting Presiding Judge of RTC, Branch 8.
- Bail Granted:** On February 11, 2009, Judge Balindong granted Sidic's motion to fix bail at P30,000.00.
- Release Order:** On February 13, 2009, Sidic was ordered released after posting bail.
- Motion for Reconsideration:** The prosecution filed an omnibus motion for reconsideration, which Judge Balindong denied but inhibited himself from the case.

Issues:

- Mootness:** Whether the petition for certiorari is moot considering Sidic's conviction.
- Judicial Hierarchy:** Whether the petition should have been filed with the Court of Appeals instead of the Supreme Court, pursuant to the doctrine of hierarchy of courts.
- Grave Abuse of Discretion:** Whether Judge Balindong committed grave abuse of discretion by:
 - Granting the motion to fix bail.
 - Setting the amount of bail at P30,000.00.
 - Not inhibiting himself from the case.

Court's Decision:

1. **Mootness:** The Supreme Court declared the petition moot since Sidic was ultimately convicted of murder by RTC Branch 28, Catbalogan City, making any decision on the bail irrelevant.
2. **Judicial Hierarchy:** The Court reiterated that the petition should have been filed with the Court of Appeals, noting the petitioner did not provide justifiable reason to skip intermediate court levels.
3. **Grave Abuse of Discretion:**
 - **Motion to Fix Bail:** Judge Balindong did not abuse discretion in granting bail. He conducted hearings and evaluated testimonies, finding the prosecution's evidence weak as none of the witnesses saw Sidic shoot the victim.
 - **Bail Amount:** The amount of P30,000.00 was justified based on Sidic's detention period, character, health, and financial ability.
 - **Inhibition:** The petitioner failed to provide concrete evidence of Judge Balindong's alleged familial relations to Sidic within the sixth degree of consanguinity or affinity necessitating mandatory inhibition.

Doctrine:

1. **Mootness Doctrine:** A case becomes moot when no actual controversy remains, and a resolution would no longer have practical legal effects.
2. **Hierarchical Rule of Courts:** Direct petitions to the Supreme Court are generally disallowed unless exceptional circumstances justify bypassing lower courts.
3. **Judicial Discretion in Bail:** For capital offenses, bail is discretionary and based on whether the evidence of guilt is strong.
4. **Reasonableness of Bail Amount:** Bail must be set considering the accused's pecuniary circumstances and must ensure court appearance without being excessive.
5. **Judge's Disqualification:** Judges must inhibit themselves from cases where they are related to any party within the sixth degree of consanguinity or affinity.

Class Notes:

1. **Key Legal Terms:**
 - **Certiorari:** A court process to seek judicial review of a decision by a lower court.
 - **Reclusion Perpetua:** A severe penalty under Philippine law equivalent to life imprisonment.
2. **Hierarchy of Courts:** Direct recourse to the Supreme Court is generally not allowed unless special and important reasons are clearly stated.

3. **Bail Principles:** The right to bail and the conditions under which it is granted, especially in capital offenses.

4. **Articles and Rules:**

- **Rule 137 Section 1:** Rules on disqualification of judges.

- **Rule 114 Sections 6 and 7:** Provide procedures and conditions for bail in capital offenses.

5. **Interpretation:** The courts ensure that the right to a fair bail amount does not undermine the presumption of innocence while ensuring the accused's presence in court proceedings.

Historical Background:

The case provides insight into judicial processes in the Philippine legal system, particularly in relation to bail and judicial hierarchy. It reflects the judicial safeguards ensuring that conclusions on guilt are established through proper legal procedure, maintaining the integrity and impartiality of judicial officers. This highlights balancing the accused's rights against ensuring justice for victims.