

Title: Drilon vs. Adaza: Malicious Prosecution and Procedural Solidarity in Criminal Litigation

Facts:

- Initial Accusation:** On March 20, 1990, General Renato de Villa, then Chief of Staff of the Armed Forces of the Philippines, submitted a letter-complaint to then Secretary of Justice Franklin Drilon requesting an investigation into several individuals, including Homobono Adaza, for alleged participation in the failed December 1989 coup d'état. The letter was supported by affidavits from military personnel.
- Preliminary Investigation:** The Department of Justice, through a Special Composite Team of Prosecutors led by Assistant Chief State Prosecutor Aurelio Trampe, commenced a preliminary inquiry into the matter. Following this investigation, the panel concluded there was probable cause to charge Adaza with rebellion combined with murder and frustrated murder.
- Filing of Information:** On April 18, 1990, an information was filed against Adaza in the Regional Trial Court of Quezon City for the crime of rebellion with murder and frustrated murder.
- Civil Action for Damages:** On July 11, 1990, Adaza filed a civil complaint for damages against Drilon and other officials, claiming they engaged in a willful and malicious legal proceeding against him when they supposedly knew rebellion complexed with murder was a non-existent crime. This was docketed as Civil Case No. Q-90-6073 at the RTC Quezon City.
- Motion to Dismiss:** Petitioners filed a motion to dismiss Adaza's complaint, arguing a lack of a valid cause of action. The RTC denied the motion on February 8, 1991, and subsequently, a motion for reconsideration was also denied on May 14, 1991.
- Appeal to the Court of Appeals:** The petitioners raised the issue to the Court of Appeals via certiorari under Rule 65, asserting that the RTC acted with grave abuse of discretion. The Court of Appeals dismissed this petition on January 31, 1992, and subsequently denied a motion for reconsideration on September 2, 1992.
- Supreme Court Petition:** Petitioners elevated the matter to the Supreme Court through a petition for review under Rule 45, contesting the Court of Appeals resolutions. Initially dismissed due to procedural defects, the petition was reinstated, accompanied by a Temporary Restraining Order against further proceedings in the RTC.

****Issues:****

1. Whether the RTC erred in denying the motion to dismiss for failure of the complaint to state a cause of action.
2. Whether the Court of Appeals committed grave abuse of discretion in affirming the denial of the motion to dismiss.
3. The propriety of considering a complaint as an action for malicious prosecution despite alternative theories introduced on appeal.

****Court's Decision:****

1. ****Absence of Malicious Prosecution Elements:**** The Supreme Court found that Adaza's complaint failed to establish necessary elements of malicious prosecution, namely: termination of prior criminal proceedings in his favor, lack of probable cause, and malice.
2. ****Lack of Resolved Criminal Proceedings:**** Adaza was discharged on a writ of habeas corpus and granted bail, which did not constitute termination in his favor for malicious prosecution purposes.
3. ****Probable Cause Exists:**** The information against Adaza was filed with sufficient probable cause, as evidenced by the preliminary investigation findings and adherence to the belief of a legitimate legal basis to charge Adaza, despite subsequent legal controversies.
4. ****Role of Malice:**** Given the presence of probable cause, legal malice could not be attributed to the petitioners. The absence of allegations in the complaint about malicious intent further weakened the malicious prosecution claim.
5. ****Court Exceeded Jurisdiction:**** By not scrutinizing these aspects, the RTC, and subsequently the Court of Appeals, acted beyond their jurisdiction or gravely abused discretion, meriting the grant of certiorari.

****Doctrine:****

The Court reasserted that for a malicious prosecution suit to progress, it must be clearly alleged and demonstrated that: (1) prosecution results in favorable termination for the aggrieved, (2) the action proceeded without probable cause, and (3) the prosecuting party acted with malice.

****Class Notes:****

- ****Malicious Prosecution:**** Elements include the termination of proceedings in the accused's favor, lack of probable cause, and existence of malice.

- **Probable Cause:** Exists when there's a sufficient factual basis to believe the accused committed the crime.
- **Formation of Criminal Charges:** A complex crime, such as rebellion with murder, must have a legal basis clear from precedents (as clarified by Hernandez doctrine on absorbing common crimes into rebellion).

Historical Background:

The case rooted in the political turbulence of post-1989 coup attempts, reflects the legal system's grappling with complex crimes in the face of political upheaval and coup-related prosecutions. The deliberations also tie closely with the Philippine legal system's evolving approach on rebellion, following historical rulings like *People vs. Hernandez*, which challenged the legal community to rethink criminal jurisprudence in the local context of highly politically charged actions.