

Title: **Bonifacio, et al. vs RTC Makati Branch 149 and Gimenez**

Facts:

1. **The Origins**:

- On October 18, 2005, Jessie John P. Gimenez filed a libel complaint against officers and trustees of the Parents Enabling Parents Coalition, Inc. (PEPCI) regarding articles on internet websites accessible to the public, which allegedly defamed the Yuchengco Family and their company, Malayan Insurance Co., Inc.
- PEPCI was formed by planholders of Pacific Plans, Inc. (PPI) who were dissatisfied with the company's inability to honor pre-need educational plans due to liquidity issues.

2. **Online Content**:

- Gimenez accused the petitioners of publishing defamatory content on websites www.pepcoalition.com, www.pacificnoplan.blogspot.com, and a Yahoo group. The articles supposedly maligned the Yuchengco Family and their business operations.

3. **Procedural Journey**:

- **Makati Prosecutor's Office**: On May 5, 2006, the Makati City Prosecutor's Office found probable cause and filed 13 counts of libel.
- **Petition for Review**: Petitioners appealed to the Secretary of Justice, who ordered the withdrawal of the libel informations on June 20, 2007, stating that "internet libel" was not covered under Article 353 of the RPC.
- **Motion to Quash**: On June 6, 2006, petitioners filed a motion to quash based on lack of jurisdiction and insufficiency of allegations.
- **RTC Orders**: Initially, the RTC quashed the information due to jurisdictional defects but allowed an amended information, which the petitioners again moved to quash. The RTC denied their motion on April 22, 2008, leading to denial of reconsideration on August 12, 2008.

Issues:

1. **Whether the acts alleged in the information are punishable by law (internet libel under RPC).**
2. **Whether the amended information sufficiently vested jurisdiction in the trial court.**
3. **Whether an amendment can cure jurisdictional defects in the information.**

Court's Decision:

1. **Jurisdiction and Venue in Libel Cases**:

- The Supreme Court emphasized that proper venue is critical in libel cases and must either be where the complainant resides or where the article was printed and first published as mandated by Article 360 of the RPC.
- The Court found that merely stating that the article was first accessed in Makati did not meet the requirement that it was printed and published there.

2. **Sufficiency of the Amended Information**:

- The Amended Information was insufficient as it failed to comply with Article 360's requirements on specifying proper venue meticulously.
- The Court underlined that accepting access in certain locations as printing/publication would allow for libel suits to be filed anywhere, contradicting the legal intention to prevent harassment via distant venues.

3. **Amendment of Information**:

- The Court ruled that since venue relates to jurisdiction, a jurisdictional defect in an information for libel cannot be simply amended.

The Supreme Court held that the RTC's denial of the petitioners' motion to quash due to these jurisdictional shortcomings was a grave abuse of discretion.

Doctrine:

The case reiterates the pivotal doctrine that venue is jurisdictional in criminal cases, especially in libel cases under Article 360 of the RPC. An amended information must clearly allege with specificity that the defamatory article was printed and first published in the venue where the case is filed.

Class Notes:

- **Elements in Libel Cases**:

1. **Defamatory Imputation**: The statement must be defamatory.
2. **Publication**: The statement must be published.
3. **Identifiable Person**: The statement must refer to a specific person.
4. **Malice**: There should be malice, express or implied.

- **Relevant Statutes**:

- **Article 353 and 355, RPC**: Defines and penalizes libel.
- **Article 360, RPC as amended by RA No. 4363**: Specifies jurisdiction and venue in libel cases.

Historical Background:

The case emerged within the context of disputes over non-remittance of pre-need plans, reflecting broader socioeconomic grievances towards financial institutions. The amendment to Article 360 was historically intended to prevent the misuse of libel cases to unduly harass accused parties by filing cases in remote locations. This context underscores legislative efforts to balance free speech with protections against defamation.