

Title: Edwin Granada Reyes vs. The Office of the Ombudsman, The Sandiganbayan, and Paul Jocson Arches

Facts:

1. November 21, 2005: The Sangguniang Bayan of Bansalan, Davao del Sur, passed Municipal Ordinance No. 357, which prohibited the storage, sale, and use of firecrackers within specific areas of the Bansalan Public Market.
2. December 14, 2009: Edwin Granada Reyes, then Mayor of Bansalan, approved permits allowing the sale of firecrackers at the market from December 21, 2009, to January 1, 2010.
3. December 27, 2009: A fire broke out at the Bansalan Public Market, causing significant damage, partly blamed on the sale of firecrackers in violation of the ordinance.
4. December 20, 2010: Paul Jocson Arches lodged a complaint with the Office of the Ombudsman, Mindanao, alleging that Mayor Reyes's actions contradicted the municipal ordinance and led to the fire incident.
5. The Ombudsman added Chief of Police Solomon Anore de Castilla, Fire Marshall Gil C. Andres, and Permits Officer Rita Potestas Domingo as respondents for recommending the approval of the firecracker permits.
6. March 20, 2013: The Office of the Ombudsman issued a resolution finding probable cause to charge the respondents with violating Section 3(e) of Republic Act No. 3019, which led to the filing of charges before the Sandiganbayan.
7. June 26, 2013: The Ombudsman denied the respondents' motion for reconsideration.
8. The petitioner, Edwin Granada Reyes, filed for certiorari under Rule 65, seeking the Supreme Court's intervention, challenging the finding of probable cause by the Ombudsman.

Issues:

1. Whether the Ombudsman committed grave abuse of discretion in determining probable cause against Reyes and the respondents.
2. Whether the respondents' rights to due process were violated due to reliance on evidence not provided to them during the investigation.

Court's Decision:

1. **Grave Abuse of Discretion**: The Supreme Court held that the determination of probable cause by the Ombudsman should not be interfered with absent clear proof of grave abuse of discretion. The Court found that the Ombudsman conducted its task properly and determined probable cause based on the evidence available, thus dismissing Reyes's claim.
2. **Due Process**: The court found that the procedural due process was met during the preliminary investigation, stating there was no requirement for all evidence from co-respondents to be shared with each other, and that the preliminary investigation's goal—determining probable cause—was under the Ombudsman's mandate and discretion.

Doctrine:

1. **Non-Interference in Probable Cause Determinations**: The Supreme Court reiterated the doctrine that it generally does not intervene in the Ombudsman's executive determination of probable cause, except when there is evident grave abuse of discretion.
2. **Due Process in Preliminary Investigation**: It was clarified that the necessity of sharing evidence only includes that from the complainant, not the co-respondents, during a preliminary investigation.

Class Notes:

1. **Section 3(e) of RA No. 3019**: A public officer commits an offense when causing undue injury or providing unwarranted benefits when acting with partiality, bad faith, or negligence.
2. **Probable Cause**: Defined as the existence of facts leading a reasonable person to suspect a crime or apprehend guilt, probative but less than the proof required for conviction.
3. **Preliminary Investigation**: A function primarily of probable cause assessment, not subject to the rigors of trial-based due process but protection against capricious prosecutions.
4. **Overlap of Executive and Judicial Functions**: Acknowledgment of the separate roles of the Ombudsman (executive) and the judiciary in criminal proceedings.

Historical Background:

Post-establishment of the Philippine anti-graft laws, the Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act) was enacted to curb corrupt practices by public officials. This case falls under this broader constitutional aim to ensure clean public service by holding officials accountable for actions amounting to negligence, partiality, or bad faith, especially in situations conflicting with pre-existing local legislations like municipal ordinances.