

Zahájení trestního stíhání

Commencement of criminal prosecution

Summary

The purpose of my thesis is to analyse the institute of commencement of criminal prosecution.

The thesis is composed of twelve chapters, each of them dealing with different aspects of the institute of commencement of criminal prosecution. Chapter One is introductory and points out the conflicts of interests that can arise during criminal procedure.

Chapter Two includes overview of historical development of this process from the end of World War II until present day.

Chapter Three presents short outline of the process that takes place before the criminal prosecution is started, which is essential for this topic. First part deals with practice preceding the commencement of criminal prosecution from general perspective. It also covers overview of basic principles that govern this part of criminal prosecution. Second part contains short summary of process before commencement of criminal prosecution.

Chapter Four aims at the commencement of the criminal prosecution, its purpose and significance, and at conditions that are necessary for successful commencement of the criminal prosecution. This chapter also deals with problem of urgent and irreproducible acts.

Chapter Five presents the conditions, which prohibit the start of new criminal prosecution or continuation with criminal prosecution already in progress.

Chapter Six deals with ruling on commencement of criminal prosecution and with its content requirements. It also contains section on delivery of the ruling and deadlines.

Chapter Seven describes some of the effects the commencement of criminal prosecution causes to happen.

Chapter Eight focuses on supervision of the public prosecutor over observation of the rightfulness of the preliminary proceedings, including the authority of the public prosecutor to review the rulings on commencement of criminal prosecution.

Chapter Nine concentrates on complaints against ruling on commencement of criminal prosecution as proper revisory measure, which the criminal code provides against this ruling.

Chapter Ten presents short summary of shortened preliminary proceedings, which has the effect of commencement of criminal prosecution, up to submitting the proposition for penalty to court by the public prosecutor.

Chapter Eleven researches the special means of commencement of criminal prosecution. In first section, process of commencement of criminal prosecution of fugitive is researched. In second section, process of commencement of criminal prosecution of juvenile person is described.

Chapter Twelve is the concluding chapter and the conclusion attempts to stress the importance of the institute of commencement of criminal prosecution and the need of professional and responsible approach of the parties involved in criminal prosecution towards this institute.