

## **Abstract**

This diploma thesis deals mainly with the issue of necessary defense in Czech law focusing on some of the disputable queries brought by its application and interpretation. The primary fixation of this thesis is on the judiciary decisions, however, the work deals with the theoretical foundations and resources of the necessary defense. The aim of this work is to introduce the matter of necessary defense, to highlight the disputable queries appearing when applied and analyze their solution.

This work is divided into six chapters. First chapter names and explains particular excuse defenses. Second chapter deals with the term of necessary defense, its development and valid legislation regarding it. Third chapter brings the analysis of the self-defense itself in consideration of judiciary decisions and expert literature and examines legal conditions of its application. The chapter is furtherly divided into 3 subheads. Subhead 3.1 explains the attack, subhead 3.2 approaches the interests protected by the Penal Code and subhead 3.3 deals with the apparently unreasonable defense. Excesses from the necessary defense are described in fourth chapter. Fifth chapter deals with so called putative defense in the judiciary decisions. The last, sixth chapter focuses on the automatic defense mechanisms and defense attacks in general.