

Chart of criminal procedure of the prosecutor office

Reason for the Prosecutor office to conduct the investigation (Article 68 of the law on criminal procedure)

- Complaints or report (Article 87 of the law on) submitted or expressed to an investigations agency or the Office of the Public Prosecutor
- Turning Oneself In;
- Finding Clues and Traces Pointing to an Offence.

- Might Issue an order to detain [them] (Paragraph 1 article 138)Arrests in the Event that [the Official] Witnesses an Offence and in Urgent Cases (Article 140 of the law on criminal procedure)

Direct Pressing of Charges in Court (Article 157 of the law on criminal procedure)

- It is a minor or major offence specified by law as punishable by imprisonment for three years or less; or (Article 158 paragraph 1)
- Complete evidence such as (the offence was witnessed or the suspect has confessed) (Article 158 paragraph 2)
- All condition are met as define in article 158 of the law on criminal procedure, The chief of prosecutor office shall send the case file along with the suspect to the Office of the Public Prosecutor (Article 159 on the law on criminal procedure).

Issue an order to open investigation (Paragraph 1, Article 53 section 4 and article 91 of the law on criminal procedure)

- concrete evidence (Article 91 paragraph 1 of the law on criminal procedure)
- Report to chief of the prosecutor office. (Article 91 paragraph 2 of the law on criminal procedure)

Issue an order not to open investigations (Paragraph 1 article 53 and article 93 of the law on criminal procedure)

- Issue an order not to open investigations and inform the individual or organization making the complaint or report. (Article 93 paragraph 1 of the on law criminal procedure)

Operations of Investigations (Article 95 of the law on criminal procedure)

- **Apply the investigation:** Taking Testimonies (Article 115), Taking the Testimony of the Suspect (Article 115), Questioning Persons together (Article 119), Identification and Confirmation (Article 120), **Instruction On Application of Provisional Measures on Properties Relating to Money Laundering or Terrorist Financing No.08/AMLIO (Article 2, paragraph 2)**, Seizure and Sequestration of Assets of Benefit to Case Proceedings (Article 128), Inspections of the Scene of an Incident (Article 129), Inspection of Bodies (Article 131), Re-Enactment (Article 134), Records of Investigations (Article 100), summonses (Article 113)
- **Apply the prevention measure:** Bringing People in (Article 137), House Arrest (Article 144).
- **Proposal to issue an order:** To request orders for arrest, detainment on remand, temporary release, the search of premises, suspensions from duty or positions, and extensions to the time specified for investigations and for detainment granted; (Article 53 paragraph 1 section 8)
- **Timeline for the investigation:** within two months in the event of a major offence and within three months in the event of a crime (Paragraph 1, Article 110)
- **Proposal to extend the period for investigations:** Timeframe and extend the imprison (Paragraph 1 section 8 Article 53, Paragraph 2 article 110 of the law on criminal procedure)
- **Inspecting, Weighing up, and Assessing Evidence** (Article 44 of the law on criminal procedure)

Suspension of Investigations (Article

- The suspect is in hiding, avoiding case proceedings, or their location is unknown;
- It is impossible to determine who the offender is; or
- The suspect is severely sick or injured or dies and such is verified by a doctor.

Case Dismissal (Article 148)

- If an incident specified in Article 6 of this Law occurs; or
- There is insufficient evidence [to prove] that that the suspect is an offender.

Submission of the summary of the investigation to prosecutor office (Article 150)

- Submit the case summary to prosecutor office within 3 three day