

La Garde à Vue



DURÉE DE LA GARDE À VUE

La durée maximale de la garde à vue est de 24 heures mais, en fonction des faits reprochés, elle peut prolongée jusqu'à :

- 48 heures pour les infractions de droit commun ;
- 96 heures en matière de bande organisée, de proxénétisme, de traite d'êtres humains et pour les trafics de stupéfiants ;
- 144 heures en matière de terrorisme.



AUDITIONS & CONFRONTATIONS

Vous êtes entendu par un fonctionnaire de police ou de gendarmerie dans le cadre d'une audition qui, en matière criminelle, sera filmée.

Vous pouvez également être confronté à une autre personne mise en cause ou au plaignant.



DÉBUT DE LA GARDE À VUE

Le placement en garde à vue se fait :

- soit à l'issue d'une interpellation par la Police ou la Gendarmerie ;
- soit après une convocation au commissariat de Police ou à la brigade de Gendarmerie ;
- soit à l'issue d'une audition libre.

Il n'est possible que si l'on vous soupçonne d'avoir commis ou tenté de commettre un crime ou un délit puni d'une peine d'emprisonnement.



VOS DROITS DURANT LA GARDE À VUE

Vous disposez d'un certain nombre de droits dès votre placement en garde à vue :

- être informé de la nature et de la date des faits qui vous sont reprochés ;
- être assisté par un interprète ;
- être examiné par un médecin ;
- faire prévenir l'un de vos proches ;
- faire prévenir votre employeur ;
- être assisté par un avocat.



LES SUITES DE LA GARDE À VUE

Plusieurs options sont possibles à la suite de la garde à vue :

- vous quittez librement les locaux de police ou de gendarmerie ;
- il vous est remis une convocation en justice ;
- vous êtes conduit au Tribunal Correctionnel pour être jugé en comparution immédiate ;
- vous êtes conduit devant le juge d'instruction en vue d'une mise en examen

La Reacuteforme De La Garde Agrave Vue

M Mosston



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