

## THE STAGE OF FILING THE INDICTMENT AND OF THE STATEMENT

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### ABSTRACT

Filing an indictment against an accused and his/her statement about the guilt presents one of the most important stages of criminal procedure. It is an important criminal procedure, due to the fact as of this procedural phase the criminal procedure in adjudicating the accused about the criminal offence charged shall commence. The state prosecutor, at the moment the investigation is completed, or if he/she considers the information he possesses about the criminal offence and the perpetrator, files an indictment, and only on the basis of the filed indictment, he/she can initiate criminal proceedings before the court. The act of charging or the indictment determines the court where the main trial shall be held, personal data of the accused, time and place where the criminal offence was committed as well as its legal qualification, proposal on the evidence that has to be proceeded during the court hearing, reasoning for filing the indictment, and the fact that the accused is either free or detained. After filing of the indictment, the prosecutor submits the indictment in sufficient copies together the case file supplementing the indictment, whereas at this moment, despite its submission to the court, the prosecutor provides the entire evidence based on which the indictment was filed, for the accused and his/her attorney, so that the latest get prepared for defence before the court.

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