

DURÉE DE LA GARDE À VUE

Principe: durée de 24 heures



Crime ou délit puni d'une peine d'emprisonnement supérieure ou égale à 1 an
(prolongation possible si la condition relative à la finalité est également remplie)

- Prolongation de 24 heures supplémentaires
- Autorisation écrite et motivée du procureur de la République ou du juge d'instruction
- Depuis loi du 23 mars 2019, la présentation de la personne devant le procureur de la République ou le juge d'instruction est facultative



Criminalité organisée
(délais dérogatoires si les nécessités de l'enquête ou de l'instruction l'exigent)

- La durée de la GAV peut être portée jusqu'à 96 heures
- Sur décision d'un magistrat (JLD ou juge d'instruction)
- Présentation au magistrat obligatoire pour la 1^{re} prolongation



Terrorisme
(délais dérogatoires
délai si risque sérieux de l'imminence d'une action terroriste ou nécessités de la coopération internationale)

- La durée de la GAV peut être portée jusqu'à 144 heures
- Sur décision du JLD

La Reacuteforme De La Garde Agrave Vue

Tobias Bleicker



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