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: MAJOR LAWS

KEY WORD ARREST OF GOVERNMENT OFFICIAL.

SANPACHAYA RATTANAMEKUL POL.CAP. : ARREST OF GOVERNMENT OFFICIAL.

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In general, to arrest a person, the Criminal Procedure Code must be followed. However, for certain important high ranking officials, they are specially treated. Prior to their arrest, the approval from their superior must be received. The above-said are provided in the Police Rules on Handling of Cases. This resulted in inunity of the arrest provisions and troubles in practice.

The study indicated that the purpose of the said Rules is to protect those officials due to the lack of trust in the reliability of issuing process of arrest warrants under the Criminal Procedure Code which authorizes the superior administrative or police official to issue an arrest warrant without the investigation by other officials. While the exercise of his functions may be adverse to the involved individual and tend to be object of harassment and accuse which leads to the undue arrest. Therefore, the Criminal Procedure Code and Police Rules of Case, in respect with the provisions for the arrest of officials should be revised and merely the court should be authorized to issue the arrest warrant as the court is being independent and can check the other parties. Before issuing an arrest warrant. The public prosecutor should exercise his on her discretion in attesting whether. There is adequate grounds and necessity to arrest or not. Once such measures has been putting into action the special rules to protect official in the case of being arrest could and should be revoked.

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