

NOPPARAT AUGSOKN : COMPOUNDABLE OFFENCES IN THE CRIMINAL JUSTICE PROCESS. THESIS ADVISOR : DR. KANIT NA NAKORN AND ASSO. PROF. PAITON KONGSOMBOON. 162 PP.

An essential aim of Criminal Law is to protect public order by means of sanctions, i.e. the State will impose penalties on those who commit offences against the public interest. However, there are certain offences which tend to concern private interests, and special provisions have been enacted to deal with them differently from other criminal offences. These offences are known as "Compoundable offences." Compoundable offences relate to those offences which the parties to the dispute can agree to terminate without resorting to courts. They depend upon a range of considerations conditioned by the type of offences, custom and family relationships

In procedural law, the Criminal Procedure Code has made special stipulations concerning compoundable offences, and they differ from the provisions dealing with non-compoundable offences. These stipulations establish conditions in the process, such as the claim of the injured party, the waiver of claim, the withdrawal of complaint or of the prosecution, and compromise.

According to the Criminal Procedure Code, the injured party is entitled to terminate the prosecution process even after the decision of a court of first instance. Enforcement of the decision may be waived, as it depends upon the consent of the injured party. One of the concerns for the future will be to clarify the time period allowed for termination of the criminal process in these matters. The time period for enabling the injured party to consent to such termination should be limited and checked by state. This will contribute to establishing compoundable offences on a firm and rational basis.