

<b>THEMATIC TITLE</b>	DEFERRED PROSECUTION IN CRIMINAL CASE: THE CASE STUDY OF DRUNK DRIVING OF ROAD TRAFFIC ACT B.E. 2522
<b>KEYWORDS</b>	DEFERRED PROSECUTION / ROAD TRAFFIC ACT
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### **ABSTRACT**

This thematic paper aims to study deferred prosecution in criminal cases in order to adapt to the case of driving under the influence according to the Road Traffic Act B.E. 2522. Driving under the influence is the primary factor that causes accidents, especially during the festival week when Thai citizens return to their homeland causing a proliferation in numbers of driving under the influence cases for the court to handle. The study found that the suspended prosecution measure can empower the public prosecutor with discretion to issue the prosecution order. The public prosecutor is capable of defining conditions for the offender to comply within the period of the agreement. The procedure mentioned above can help filter out cases before further consideration processes of the court.

Adopting deferred prosecution in the case of driving under the influence can help reduce the number of cases. Therefore, the suggestion would be to amend the code of criminal procedure and the criminal code itself by empowering the public prosecutor to conditionally suspend the prosecution. This procedure can occur only after receiving agreement from

the court, and the wrongdoer must confess and consent to the lawyer. Additionally, an amendment of the Road Traffic Act B.E. 2522 allows the public prosecutor to adopt deferred prosecution in the case of driving under the influence.