

Comparative study of madness in the Penal Code Act 1392 with a view to French law

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New Islamic Penal Code, like the former, precise definition of insanity as one of the criminal responsibility does not absolve And only mental disorder due to a lack of will or sense of discernment as an example of insanity as a defense to criminal liability picks Article 149 newly passed law says: "If an offender at the time of the offense was mentally disturbed in such a way that lacks the will or sense of discernment is not regarded as insane and criminal liability. . "Although" mental disorder or psychosis usually called alienation "but the precise definition of the criteria for recognition is not considered madness, as some of the famous criminal lawyer also acknowledged that the concept of madness as" deviant behavior "is relative in different cultures. Opti-color referred to the provisions of article implies, the development criminal liability shall not apply to any mental disorder manic mental disorder must be a way that the lack of will or sense of discernment lead to the time of the crime committed Insane " considered. Therefore, the decline of power committed by the disease will lead to psychological disorders such passivity of other causes For example, due to drunkenness, drug use, natural and synthetic sleeping on the condition that their committed knowingly and with a condition not to commit a crime, eliminate criminal responsibility And the new law on the incidence of induced passivity of Mental Disorders (contingent or congenital) states. So with that in mind will take up the issues of use, analytical approach to the analysis of Madness And changes in the Penal Code Act 1392 with a view to their French criminal law..

Keywords : Madness, Prosecution Factors, Psychological Disease, Penal Code Approved, 1392, French Penal Code

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