

L'audition libre



LA DURÉE DE L'AUDITION LIBRE

Aucune contrainte ne peut être exercée à votre rencontre durant l'audition libre. Vous pouvez donc quitter les lieux de votre audition quand vous le souhaitez.

Si les besoins de l'enquête le justifient, vous pouvez être retenu sous contrainte le temps nécessaire de votre audition mais pour une durée maximale de 4 heures.



L'AUDITION PAR L'OFFICIER DE POLICE JUDICIAIRE

Vous êtes entendu par un fonctionnaire de police ou de gendarmerie qui vous posera différentes questions et recueillera vos observations.

Vous pouvez également être confronté à une autre personne mise en cause ou au plaignant.



LE DÉBUT DE L'AUDITION LIBRE

L'audition libre consiste dans le fait d'être entendu librement, et donc sans contrainte, par les fonctionnaires de police ou de gendarmerie.

Peut être faire l'objet d'une audition libre, il doit exister à votre rencontre des raisons plausibles de soupçonner que vous avez commis ou tenté de commettre une infraction.



VOS DROITS EN AUDITION LIBRE

Avant de faire l'objet d'une audition libre vous devez obligatoirement être informé :

- de la nature, de la date et du lieu des faits qui vous sont reprochés ;
- de votre droit de quitter à tout moment les locaux de police ou de gendarmerie ;
- de votre droit d'être assisté d'un interprète ;
- de votre droit de faire des déclarations, de répondre aux questions ou de vous taire ;
- de votre droit d'être assisté par un avocat si les faits reprochés constituent un crime ou un délit puni d'une peine d'emprisonnement.



LES SUITES DE L'AUDITION LIBRE

Plusieurs options sont possibles à la suite de l'audition libre :

- vous quittez librement les locaux de police ou de gendarmerie ;
- il vous est remis une convocation en justice ;
- vous êtes placé en garde à vue.

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