

## **The Effect of Shar'i Maturity of girls between 9-15 years old on the Jurisdiction of Criminal Courts in the Preliminary Investigation Stage of Committed Crimes**

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### **Abstract**

There are disagreements in the judicial procedure regarding the competent court to conduct preliminary investigations of the crimes under Article 302 of the Criminal Procedure code committed by girls between the ages of 9 and 15. Some views based on Note 1, Article 285 of the Criminal Procedure code, put directly the preliminary investigation of all crimes of people under 15 years of age under the jurisdiction of the Children and Juvenile Court and don't consider any differences between boys and girls. Some other comments have placed the preliminary investigation of this group under the jurisdiction of the special criminal court for dealing with juvenile crimes based on Article 315 of the Criminal Procedure code. Assuming the competence of the special criminal court to deal with juvenile crimes, prohibition of dealing with said crimes without issuing an indictment according to Article 382 of the Criminal Procedure Code on one hand and the prohibition of preliminary investigations of girls aged 9 to 15 in the special juvenile court according to Article 285 of the Criminal Procedure Code on the other hand are ambiguous. This research, with a descriptive and analytical method, and by examining the different judicial comments and presenting various arguments in this field is explained these desired difference and concluded that the preliminary investigation of these crimes without issuing an indictment in the special criminal court for dealing with juvenile crimes is true.

**Keywords:** Preliminary investigation, Children and Juvenile Court, special criminal court for dealing with juvenile crimes.

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