

الدفع ببطان إجراءات التفتيش

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**Abstract**

Intended order invalidating inspection procedures is matters of substance or legal of his interest during the hearing, which aims which invalidate the inspection procedure violates the due process set forth in the law, and is important in mind a deterrent for violation of due process and thus maintain the freedoms of individuals and search bots More evidence within the framework of respect for individual rights and the dignity of justice.

And that its legal basis in Iraq is the provisions of articles (86, 249 /A) of the Criminal Procedure Law No. 23 of 1971 as amended by In Egypt the provisions of articles (336,333,332,331) of the Code of Criminal Procedure of Egypt (No.50) for the year 1950 , and can not accept payment unless available certain conditions, namely that provides payment before the closure of the hearing and to be frank firmly knocks on the door of the court, and have a fixed asset securities and productive and apparent attachment to the merits and does not waiver express or implied with him

and depend upon the elements of the judgment of the Court In the absence of these conditions can not be the court may accept it at all.

There are provisions for the payment of the invalidity of the inspection procedures must be observed and achieved so that the owner submitted an interest in the payment and the capacity to adhere to it and as formulated in the absence of verification of these provisions at the forefront of payment or not submitted in time to be allowed, it can not be accepted, as for the impact of these Payment in the case of taking the court it is represented in Egypt invalidity of evidence derived from the inspection the wrong that was contrary to the rules and provisions and inspection procedures based on the provisions of Article (336) of the Code of Criminal Procedure, the aforementioned while not showing the Criminal Procedure Code Iraqi impact of it as it is the case in the Egyptian law, which he did not provide for the exclusion of evidence derived from the inspection falsehood even though he passed the objections on inspection procedures to the investigating judge in Article (86) and appeal to the Court of Cassation in the case of a fundamental error in the proceedings fundamentalism in Article ( 249 / A) has been working in the Iraqi judiciary not to the exclusion of evidence resulting from the inspection falsehood despite the violation of the provisions of the Criminal Procedure Code.

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