



Procedimiento Penal Nacional acusatorio y oral (Spanish Edition)

Elías Polanco Braga

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La esencia de esta obra la constituye el nuevo sistema penal nacional en sus caracteres de acusatorio y oral, denominado comúnmente como juicio oral. Se establecen los orígenes de los sistemas procesales penales en sus variantes de acusatorio, inquisitivo y mixto, sin omitir el sistema mexicano, que fue concebido a partir de los sistemas anteriores y de la influencia del positivismo en su época, por lo que se revisa su gestación desde la época independiente hasta los lineamientos de la reforma constitucional de 2008.

El libro estudia los principios rectores del procedimiento penal acusatorio y oral, haciendo hincapié en los derechos que protegen al imputado y a la víctima, así como a los sujetos intervinientes, quienes actuarán en las nuevas etapas procedimentales para su trámite, que consiste en un sistema de audiencias verbales, tanto para las partes como para los juzgadores, éstos con denominaciones de jueces de control, de juicio oral y de ejecución.

En cuanto al procedimiento penal, tiene sus reglas en el Código Nacional de Procedimientos Penales al regular sus etapas debidamente delimitadas en las de investigación, con sus fases de investigación inicial y la judicial; la etapa intermedia, que comprende las fases escrita y oral; a la conclusión de ésta surge la etapa de juicio oral, considerada como el momento medular de todo el procedimiento, pues se dicta sentencia, en la cual se elimina el sistema tasado de valoración de la prueba para condenar o absolver.

Por último, el autor expone las habilidades estratégicas para el uso de las técnicas de litigación oral para realizar los alegatos, el interrogatorio, el contrainterrogatorio, las objeciones, así como las reglas para la introducción de la prueba material o evidencia física.

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