## ЕПАРХІАКО ДIKA乏THPIO＾APNAKA乏

ENSПION：E．「ع $\omega \rho \gamma i ́ o u$－Avt $\omega v i o u, ~ E . \Delta$.

Ap．YлóӨعoŋৎ：10036／13

## 

## V．

Hиعроипvia：－11－$\Delta \varepsilon \kappa \varepsilon \mu \beta \rho i o u, 2015$.

## Eцф $\alpha$ viogıs：

Гı $\alpha$ тף้ Катпүорои́ $\sigma \alpha$ Apхŋ́：к．Папаvєко入д́ou

Катпүорои́ $\mu \varepsilon$ voc：паро́v

## ENDIAMEइH AПOФAミH

О Катпүорои́ $\mu \varepsilon$ vos $\alpha v \tau t \mu \varepsilon \tau \omega \pi i \zeta \varepsilon \iota ~ \mu \iota \alpha$ катпүорi $\alpha$ пои $\alpha ф о \rho \alpha ́ ~ т \eta v ~$











$\square$
 04/02/12, عvá ß




















 $\tau \alpha$ ह́ $ү \gamma \rho \alpha ф \alpha$ тпऽ к к $\alpha \alpha ү ү \varepsilon \lambda i \alpha \varsigma$ ото⿱ к. Т冖̧ı $\alpha \pi о и ́ \rho \alpha$.

О биүкєкрњцв́vоৎ $\mu \dot{\alpha} \rho \tau \cup \rho \alpha \varsigma ~ \delta \varepsilon v ~ \alpha v \tau \varepsilon\} \varepsilon \tau \alpha ́ \sigma t \eta к \varepsilon$.

 Mox. $\square$, tou $\square$, tou $\square$, tns $\Delta \rho$.
 $\mu \varepsilon ́ \chi \rho ı 12$.


























Eró МКЗ, о опоі́оя



















 ото $\lambda \cup о ́ \mu \varepsilon v o ~ к т i p ı o . ~$




































 $\pi \varepsilon \rho \pi \alpha \tau \omega ́ v \tau \alpha \varsigma$.







 $\pi \varepsilon ́ v \alpha$. О í $\delta t o ̧ ~ \delta \varepsilon v ~ \varepsilon i ́ \chi \varepsilon ~ \alpha v \alpha ф \varepsilon ́ \rho \varepsilon ı ~ o ́ t ı ~ \varepsilon i ́ \chi \varepsilon ~ \chi \tau u \pi \eta \theta \varepsilon i ́ ~ \alpha \pi o ́ ~ т \eta v ~ \pi \varepsilon ́ v v \alpha ~ \sigma \tau \eta v ~$





























 $\Delta$ ıк $\alpha \sigma$ ти́ $\rho$ ı。

## NOMIKH ПTYXH - Ек прळ́тnс ó $\psi \varepsilon \omega \varsigma$

 $\varepsilon к \pi \rho \omega ́ t \eta \varsigma ~ o ́ \psi \varepsilon \omega \varsigma ~ u \pi o ́ \theta \varepsilon \sigma \eta ~ \varepsilon v a v t i o v ~ t o u ~ \pi \rho о \beta \lambda \varepsilon ́ \pi \varepsilon \tau \alpha । ~ \alpha \pi o ́ ~ t o ~ \alpha ́ \alpha ~ \rho \rho о ~$


H Aүү入ıки́ Практıки́ tou 1962- Practice Note - (1962) 1 All E.R. 448 $\pi о \cup \varepsilon \kappa \delta o ́ \theta \eta \kappa \varepsilon \alpha \pi$ т то Divisional Court of the Queen's Beach Division of the



«........ A. submission that there is no case to answer may properly be made and upheld: (a) When there has been no evidence to prove an essential element in the alleged offence; (b) when the evidence adduced by the prosecution has been so discredited as a result of cross examination or is so manifestly unreliable that no reasonable tribunal could safely convict on it.

Apart from those situations a tribunal should not in general be called on to reach a decision as to conviction or acquittal until the whole of the evidence, which either side wishes to tender, has been placed before it. If, however, a submission is made that there is no case to answer the question should depend not so much on whether the adjudicating tribunal (if compelled to do so) would at that stage convict or acquit but on whether the evidence is such that a reasonable tribunal might convict. If a reasonable tribunal might convict on the evidence so far laid before it, there is a case to answer."


 Police (1981) 2 C.L.R.).






 $\mu$ о́vo ót $\alpha v \omega \varsigma ~ \vartheta \varepsilon ́ \mu \alpha ~ \pi \rho \dot{́ t \eta \zeta \varsigma ~ o ́ \psi \varepsilon \omega \varsigma, ~ \delta \eta \lambda \alpha \delta \eta ́, ~ \mu \varepsilon \tau \alpha ́ ~ \tau \eta \nu ~}$
 $\kappa \lambda \eta \dot{\sigma \eta ~ 七 о и ~ к \alpha т \eta ү о \rho о и ́ \mu \varepsilon \vee о и ~ \sigma \varepsilon ~ и \pi \varepsilon \rho \alpha ́ \sigma \pi \iota \sigma \eta . ~ О ~ о ́ \rho о \varsigma ~ « \varepsilon к ~}$



 ó $\psi \varepsilon \omega \varsigma ~ \cup \pi o ́ \vartheta \varepsilon \sigma \eta » ~ ү i v \varepsilon \tau \alpha \iota ~ \sigma \tau \eta \nu ~ \alpha \pi o ́ \varphi \alpha \sigma \eta ~ \tau \eta \varsigma ~ о \lambda о \mu \varepsilon ́ \lambda \varepsilon ı \alpha \varsigma ~ \underline{I n}$ Re Kakos (1985) 1 C.L.R. 250.










 $\Delta$ дкабтпріои．


入óyo аutó tóбо $\eta$ Практккウ่ тou 1962 óбо каı $\eta$ охетıкク́
 Another v．Borneman \＆Others（1967） 3 All E．R．1045．（b） Cozens v．Brutus（1972） 2 All E．R． 1 （c）Ellis v．Jones（1973） 2 All E．R．893．（d）R．v．Galbraith（1981） 2 All E．R．1061．（e） R．v．Barker（Note（1975） 65 Cr．App．R．287）opıovิะtoúv to
 $\qquad$ ．＂

 к $\lambda \alpha \sigma \sigma$ ки́ $\theta \varepsilon ́ \sigma \eta ~ т о и ц: ~$
«How then should be judge approach a submission of no case? (1) If there is no evidence that the crime alleged has been committed by the defendant, there is no difficulty. The judge will of course stop the case. (2) The difficulty arises where there is some evidence but it is of a tenuous character, for example because of inherent weakness or vagueness or because it is inconsistent with other evidence. (a) Where the judge comes to the conclusion that the prosecution evidence, taken at its highest, is such that a jury properly directed could not properly convict upon it, it is his duty, upon a submission being made, to stop the case. (b) Where however the prosecution evidence is such that its strength or weakness depends on the view to be taken of a witness's reliability, or other matters which are generally speaking within the province of the jury and where on one possible view of the facts there is evidence upon which a jury could properly come to the conclusion that the defendant is guilty, then the judge should allow the matter to be tried by the jury..."

 133, Пavapı(́tou к. $\alpha$. v. Aotuvouias (2000) 2 AAD 191 кац 「evıкós
















 The Police v. Kallenos 1980, 1 JSC oع入. 145, апóфабп Eлархıакои́



 เбхирıб
















 $\lambda \varepsilon \pi т о \mu \varepsilon ́ \rho \varepsilon เ \varepsilon \varsigma ~ ү ા \alpha т i ́ ~ \varepsilon i ́ \chi \varepsilon ~ \pi о \lambda u ́ ~ \pi о т o ́ ~ \pi a ́ v \omega ~ t o u . ~$









$\Delta \varepsilon v \pi \alpha \rho \varepsilon ́ \chi \varepsilon ı ~ \eta ~ \pi \rho о \sigma \alpha \chi \theta \varepsilon i \sigma \alpha ~ \mu \alpha \rho \tau u \rho i ́ \alpha ~ \alpha \sigma \phi \alpha \lambda \varepsilon ́ \varsigma ~ \varepsilon ́ \delta \alpha ф о \varsigma ~ \gamma l \alpha ~ \tau \eta v$





○ Katnyopoú $\mu \varepsilon v o \varsigma, ~ \lambda o ́ y \omega ~ t n s ~ \pi \rho о \mu v \eta \sigma \theta \varepsilon i \sigma \alpha \varsigma ~ к \alpha \tau \alpha ́ \lambda \eta \xi \eta \varsigma, ~$ $\alpha \theta \omega \omega ́ v \varepsilon \tau \alpha \mathrm{k}$ каı $\alpha \pi \alpha \lambda \lambda \alpha \dot{\alpha} \sigma \varepsilon \tau \alpha l$ aró $\alpha u$ tó to otá $\delta$ to.
( $\mathrm{Y} \pi$.)
E. $\Gamma \varepsilon \omega \rho p i o u-A v \tau \omega v i o u, ~ E . \Delta$.

