

Presumption of Innocence Juridical-Legal Checking

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ABSTRACT

Innocence is one of the most important principles of practice, the thing is that, regardless of the discovery of the fact and simply, to determine when the doubts, the proof is known. Practical principles also in doubt, the actual sentence is taken into consideration, and thereby open a real task, we have evidence of the validity of the presumption of innocence, studied, and also forms the main relay is. In fact, the presumption of innocence, a step in the task, and when we doubt, that the duty thereon or not we have the duty not to build. Moreover, the difference between the presumption of innocence, and no doubt also its wide, use the duct and the presumption of innocence in criminal law, and private examined.

KEYWORDS: presumption of innocence; Practical principles, principle, doubt, Effects of the presumption of innocence

INTRODUCTION

A) Identify the presumption of innocence

One of the most important principles of the practice of the presumption of innocence, the principle is that, regardless of the discovery of the fact and not merely to determine, at the time the skeptical argument is known, whether the task proves to be the subject of a sentence, for example, when the we act as if we do not hesitate to ban smoking with the help of the presumption of innocence is haram or halal, Sweetened we fixed it, only to meet the stability of bewilderment and uncertainty, in practice, the (Mohammadi, Abolhasan, 2008) The following should be pointed out that the practice of the principles of the rule of when in doubt, the actual order in which the rules of procedure, and the most important practical principles include the principle of presumption of innocence, caution or employment, and Given a choice and rooming (former reference 2008), in other words the principle that, in the absence of access to or discontinue certain suspicion, doubt of their actions and through their appearance we find a practical task (Faraji, Hamid, 2010); but She said the Authenticity of innocence, in any case in which the task is doubtful, and by referring to evidence any reason, may be found on any of the parties, presumption of innocence, says the task is canceled, in other words if necessary or in respect of anything suspicious, and we do not have proof and evidence of obligation or prohibition, leaving the first and second acts of wisdom and the judge is permitted, then the task is getting a presumption of innocence in the matter, then, according to some jurists presumption of innocence phrase. Order of appearance in the absence of the actual task, Leads on our shoulders to cite the lack of text, outline text, conflict, or external affairs of the duct presumption of innocence, the task is doubt (Faraji, Hamid, Warcraft General, 2010)

B) Evidence of validity of the presumption of innocence presumption of innocence

Fundamentalists to prove the innocence of a doubt, the principal task cited three reasons: 1) The Holy Quran, 2) St., 3) Reason

1. The Holy Quran: verse 10 Esrae Surah says, until the words not send, and people are not aware of the religious order, they are not eagles.
2. Hadith of Raise: Fix suggests that the hadith, the Prophet said nothing had been taken from my people, what they are doing wrong, or out of forgetfulness or the reluctance, and do not know what it is to be presumed innocent What they do not know document, meaning the elimination of important three points. 1. The purpose of meeting the 2 conditions meet the hadith, 3.hadith practical terms fix.
 1. The purpose of fixes: Fix the true error, forgetfulness, ignorance is not possible reluctance, these are the people, not the means to resolve developmental, legislative fix is so Fundamentalists have said, have been vocal in cum, then all of the effects each special warrant reprimanded, that removed all traces of ignorance (both civil liability and criminal liability), or any of the special effects have been removed, the Ayatollah Heidari "rule" is removed, ie the error and forgetfulness, reluctance and ignorance (including the prohibition of forbidden things), and in ignorance and error and Nissan (including health) or duress (required) has been removed.
 2. Fix the hadith flow conditions, despite the elimination of the current condition of the hadith is:

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First, remove the hadith of their situation these actions (civil liability remains, after removing the hadith in current criminal responsibility, because it is contrary to the Divine Mercy is no compensation to others; Second, if the works to resolve the deadlock, the gratitude of all Islamic nation, not a tradition for some of them, so if you run it at a loss, it is not implemented in famine example, if reluctantly ordered the property sold to the speculator is correct because it is reluctant to benefit the community.

1. Hadith solve practical terms: for example, who was extremely hungry, and so it goes Is in distress two bread, the baker steals and eats the punishment for theft is removed from him, or someone who has died as a result of financial ignorance, no penalty for non-financial loss, but it must return the property concerned or price.
3. Eagle Bella odd expression (punishment without legal expression is ugly) Stating that no punishment is bad, bad rule provisions of the Eagle:
In accordance with the principle of legality of crimes and punishments, and the legislator does not criminalize actions, and for which punishment is not imposed (impose punishment for both), not to the public, punish violators of the law will not be punished because no announcement before the ultimatum to the task, religiously and rationally punishment is bad (Sheikh Ansari, 1986) the rule of law, principles of She is Authenticity of innocence; Article 2 of the Civil Code provides the "15 days after publication of the applicable law" refers to the rule, according to the principle of evil in the interpretation of Article 2 Q.M. I must say, before passing sentence of 15 days from the publication of religious law and the wise is bad. The rule of the new law, the rule is reflected, but with certain other intellectual principle, we have called "the necessity of probable losses" apparently conflicts, and to see which one takes precedence over the other, or rather, briefly it must be said that the first rule on legal theorists consider the second rule, which means that such punishment is forbidden without prior notice of work, the wisdom obscene, other adverse - punishment in such cases there is no case for the second rule is not to apply, it is appropriate to note that, "rule of necessity probable losses" is not an absolute rule, and in the conversation, and how much is it and why, to some of the losses occasionally in ways both common and religious sanctity does not it, that the world is certain losses, and therefore the necessity of probable losses is doubtful, and thus immune from any Referrals and bringing the first rule, stay.
4. Consensus: Consensus has been cited to prove the validity of the presumption of innocence, but in this case it is difficult to prove consensus, the consensus when the value is independent evidence, that evidence is not known and the verses and hadith, the evidence is clear Legal Decisions (Mohammadi, Abolhasan, same Source, 2008), as an independent reason is obvious consensus, the evidence Counter other deduction provisions, such as the Book and Sunnah have considered it should be noted that sometimes the evidence warrants a book or tradition, there is a problem, as a result, all jurists agree on the verdict, and the so-called consensus achieved, but sometimes it is not, and there is no reason to prove the rule, however, a consensus has emerged, the consensus is the second most positive value, and in this case it can be used properly, among other reasons cited inference, but I kind of consensus cannot be considered a reason independent of other reasons, because the assumption is that the evidence warrants, the book or tradition, this latter type consensus document to say, the consensus document does not separate, independent evidence to the consensus judgment proof, there is no consensus whether or not the argument.

5.

C. Types of presumption of innocence

1. The presumption of innocence intellectual: punishment for committing such cases is bad, then the assumption of rational mentioned, we are free to commit or leave operation, and punishment awaits us.
2. legal acquittal sentence of the holy founder of innocence and the necessity of caution, saying the suspect's religious leader, lawgiver, such interest seen in other words, when people doubt the existence of duty, they have released, and a precautions required unless your lawyer is allowed to people who, in doubt assume the obligation to oppose it, and the clearance of verses and hadith is understood. (Velayi, Esa, 2010)

A: Divisions doubt: If passed, the assumption of doubt, the principle of presumption of innocence current task, but that is a different question types, to clarify the discussion, we refer to some doubts divisions. In this context the question of explaining the verdict, and the subject and we doubt the necessity and sanctions.

1) A legal uncertainty and doubt topic: If a suspicious object is the general rule, that is, from a general proposition, it is called a doubtful proposition. Brain, and link it to the people living there is doubt, and it is true that the prohibition order or license is confronted with a legal question. But if you have doubts about the foreign matter, resulting in a partial order that is the subject of doubt, it is called a doubtful matter. The thematic questions, the general rule is unknown, but it is doubtful whether this particular case, the instances of the same object and subject to the general rule is, or is out of the question, so small order is suspicious. (Qany, Hosein, Shariati, Said, 2013). Doubts rise in foreign affairs is something wrong because, for example, it is unclear the specific liquid wine, or anything else. But the creation of a legal ambiguities may be due to the lack of text, or the text of the brief conflict. Therefore, it can be a legal uncertainty into three categories: (Sheikh Ansari, 1986) be the general rule issue, the legislator has not expressed any particular text, or we do not have or that the three

is verbal, but succinct and the founder of the order cannot be obtained, or that two or more conflicting reasons exist, and cannot prefer one over the other, and because of uncertainty concerning the overall problem. Thus, the ruling doubts cause confusion, to issue a warrant of expression and communication, and is not required. But doubts about the subject, the general rule articulated and communicated, and was obliged to, but foreign affairs, who is the founder of the doubt has been created.

2) Uncertainty and doubt the necessity of sanctions: Provisions tasks are divided into five categories: obligatory, respect, recommendation, and Legalization abomination. Among these, what is the real task order, the judgment and sentence of the prohibition is necessary because the word means compulsory duty lies, therefore, only the requirement to perform the necessary warrants and warrant that respect, commitment practice is to leave the task order is considered, although Expediency recommendation and disdain, and Legalization also cited a number of provisions of the assignment. With regard to this expression, we can say that the uncertainty in the task, and the task order, mainly to one of the following occurs:

1. There may be a practical respect, the so-called "quasi sanction" call.
2. There may be a practical necessity, which called it "doubtful necessity" call.

It is noteworthy that the question of sanctions, the sentence is wavering between one side and the recommendation respect or disdain, or Legalization the other. Also, the question of necessity, the necessity and sentence recommendation or Legalization is uncertain. But if the sentence is wavering between necessity and dignity of the subject as "the period between canoeing" arises, and the principle is discussed given a choice.

D) Of the presumption of innocence

1) In relation to the rights of the accuser's defense: As the prosecution and the judge is required to prove a material element of the offense charged, on the one hand and the other is the spiritual element, thus providing proof of his innocence is not charged Malice, but the judge must prove guilt.

2) The need to provide facilities: It is necessary for the accused to defend himself, to provide all the facilities such as the right to legal counsel, access to sources of law to refer to it as necessary and appropriate interpretation of the doubt in favor of the accused.

3) The defendant forced confession: If the defendant admits reluctance of the judicial authorities, such confessional without works is legal. So if charged under pressure and duress, confessed to stealing the theft does not prove, a loss due to the fact that, like other principles of presumption of innocence practice, where the work is not used as evidence because the evidence is on the front, and the content of the carnal act, which is why, despite being based on the presumption of innocence, the judge shall, on conviction for alleged accused, and the accused is not required to prove her innocence. (Velayi, Esa, 2010). Application of the presumption of innocence in law Can the presumption of innocence, the law is used? The answer seems to be yes, in the following ways:

1. As mentioned, the most important rule of rational proof of innocence, " Nastiness punishment without statement ", and is dedicated to the rule of reason, religious, legal, does not specify a country and people, and the time and place it is ineffective, the general rule is wisdom, and in It is used everywhere, but it is possible expression, and the names change, but the truth is the provision of such hideous cruelty wisdom, and justice considers it desirable, and the allocation of time and place, people are not given. So the presumption of innocence is thus clear understanding of reason, the common law applies.
2. In Article 2 of the Penal Code has been pointed out, "No, it cannot be considered a crime unless the law for the punishment, either. . . Is set, and the principle that the criminal law, called the "principle of legality of the crime" known, Contents comply with the legal principle of the presumption of innocence of punishment, as stated in Article 6 of the Act, can this entry partially used.
3. Code of Civil Procedure is expressly adopted in Article 197 of the presumption of innocence, "the presumption of innocence, so if someone else is claiming a right or religion, to prove it, otherwise in accordance with this principle decision to acquit the defendant will.
4. Article 1257 of the Civil Code, any person claiming to be entitled to prove it, the principle of the statement that, in cases where the presumption of innocence does not apply.
5. The principle of the presumption of innocence of several Iranian constitution, and in Article 37 Q.M. It explicitly states that "the presumption of innocence, and no one is to be guilty unless proven guilty by a competent court" (Mohammadi Abolhasan, 2008)

The law's presumption of innocence, a special place has been accepted as a postulate. It is in the realm of criminal matters, and in the field of civil and legal issues, and issues of justice has wide application, and the laws of the several states. Article 37 Q.A. The presumption of innocence in criminal matters explicitly recognized, and ordained that "the principle of the presumption of innocence, and no one is guilty unless proven guilty in court." Also, Article 197 Q. A. D. M., The presumption of innocence in legal and procedural issues to consider and says: "Originally, the presumption of innocence. So if someone else claims a right or religion, should it prove otherwise read the oath, you will be issued a warrant."

But the remarkable thing about the place of the presumption of innocence, the law is that, in many of the principles of presumption of innocence by legal means, in other words the principle of mixed law and a clear

boundary between different uses of "presumption of innocence", in principle, jurisprudence and law has not been traced. It looks like the presumption of innocence (the meaning of War craft is raised) it may not be completely innocent expression that, in criminal or civil issues are common, consistent and uniform, he said. Various applications of the presumption of innocence, of the laws and legal literature suggests that the term "presumption of innocence" at least three different means, of course, close together, to work and only some of these applications, in terms of its principles matches appear. Here, the differentiation, we examined the three applications.

1. The presumption of innocence, innocence means of assignment (in the sense of innocence principle): In criminal law, if the mass of practical uncertainty, or doubt, based on principles such as the principle of legality of the crime, and the interpretation resolve doubts in favor of the accused. It seems provisions of these principles, can the provisions of the presumption of innocence, the Warcraft compare. Also, sometimes it can be found that, due to uncertainty in a necessary task, the presumption of innocence applies. To clarify the issue, describe the different assumptions:

1-1 of doubt in mass action: According to experts, if the mass of a particular behavior certainly exists by virtue of the "principle of legality of the crime", can be treated as a crime he did not desired, resulting in the acquittal verdict of guilty issued. According to this principle, which is accepted in most legal systems, and Iran accepted in criminal law, the act or omission does not constitute a crime, except in accordance with law and punishment of crime, the only legislator determined. The principle of legality of the crime, as well as the original 169 Q. A. Used. According to this principle, "any act or omission which, according to law, then the situation is not a crime." According to this principle, in practice the situation is no law about it, to be the first offense. Also, according to Article 2 Q. m. A. "The behavior of such act or omission which, at law to punish, is a crime." In general, this is the first step in any criminal proceedings, the judge referred to the law makes clear that, in principle, act attributable to the defendant guilty or not. For example, a person arrested for attempting to buy or sell, or hold the instruments. Here, it should be checked whether the practice, known in legal texts crime or not. If there's no doubt about it, should help the presumption of innocence, the issuance of injunctive prosecution in court, or the acquittal verdict in the court case ended. As can be seen, in view of the legislator, crime in any manner, whether by act or omission is said, has been recognized by the law. In fact, the criminalization of an act of law, in the sense required by law to do it or leave it attitude. Accordingly, if you have doubts about the mass of a particular practice, this means that, in spite of a legal obligation and duty to have doubts, based on the teachings and principles, in such cases should be referred to the presumption of innocence, and the ruling in the absence of duty and obligation. Rather, in such cases, the lack Intermediate text, the question we are facing a legal sanction, and the implementation of the principle of presumption of innocence it out. In a more comprehensive analysis can be said to be presumed innocent of Warcraft, and the offense was legal principle in law, both are based on a foundation of intellectual infrastructure, it is wisdom, eagle without express is bad, that is not good, no expressed and communicated to ban one of the perpetrators punished.

According to the rule of reason "Bella Eagle odd expression" is another principle in criminal law, as "the principle of non-retroactivity of criminal law" has been accepted. Under this principle, the law will be the future, and the issues that arise after the approval of the government, but to the events and issues that are before the law, there is no effect, except in exceptional cases. Article 169 Q. A. In this context, says: "any act or omission which, according to law, then the situation is not a crime." Article 10 Q. M. A. In this context, provides: "In the councils of government regulations, penalties and security measures, and training should be a law that decreed before the crime, and commit any act or omission of such behavior will not be later to be punished by the law or the safeguarding measures, and condemned training. However, if after the crime, law or no penalty or securing discounts, and educational or otherwise favorable situation had committed the crimes of the former state of the law, to issue a final rule, effective." (Qany, Hosein, Shariati, Said, 2013) Based on the "principle of non retroactivity of criminal law" are, in fact, rule of reason "Bella Eagle odd expression" is. Because it rationally, not a good person to be punished for doing something that, at the time of the commission was authorized, but then later on the basis of known mass. Therefore, the principle of criminal law is not retroactive, it can be seen from the results of the legal presumption of innocence. Of course the leniency rules and allowances, since the law passed in the past, does not conflict with the principle of evil eagle, these rules apply to pre transmitted. It is worth noting that "the law is not retroactive," dedicated to criminal matters, but also in other areas of law, has been accepted. In this regard, Article 4 Q. D. Provides: "The effect of the law is to the future, and of no effect unless the law than his predecessor, certain rules to be adopted this." Implementation of the principle of the law on privacy, usually associated with the base of Eagle odd rational expression and the presumption of innocence is not permitted. This is why the legislator can be exceptional, some of the laws passed in the past. (Under Article 4 Q. M.), While such exceptions, the laws are not accepted. (Daneshpazhooh, Mostafa, 2013). Article 167 Q. A. Provides: "A judge is obliged to make, find the Blog judge each case on the law, and if not, according to Islamic sources, or Advisory opinion valid case to issue a warrant, and cannot be an excuse to silence or defect or briefly or the conflict of Laws from admitting and handle disputes, and sentencing refuse. "The provisions of this Article may be the principle of "legality of crime and punishment" seem contradictory because

the legal principle of crime and punishment, crime, and the punishment it is determined only by the law is valid, but in accordance with Article 167 Q. A. If silence or failure or conflict of laws, shall be authoritative Islamic sources, see the authentic fatwa, and of course, if it operates in the sources of crime, and the punishment is prescribed, shall be in accordance with the rules. (Katoozian, Naser, 1999)

2-1 debt of obligation of assignment: Sometimes on duty and legal obligation of proving doubt that, in such cases, citing the presumption of innocence, the verdict is unnecessary. For example, in accordance with Article 51 Q. A. "No form of taxation may be, except in accordance with law." Therefore, if the payment of certain taxes, the law is not suspected, the acquittal verdict. In this example, we are faced with the necessity of a legal question which, in the opinion of Normative, presumption of innocence in which it runs. 2. The presumption of innocence means acquittal of charges and penalties: In cases where the assignment is suspected of the crime charged, or suspect to exist in the punishment, according to law, the presumption of innocence should be implemented, but it appears that the provisions of this Article with the principles of jurisprudence The presumption of innocence raised differs. After the two cases should be more carefully observed, and how the presumption of innocence in them separately observed.

1-2 Uncertainty of crime attributed to the accused: have. The judge will try to get to the accused and witnesses or a confession, accused of a criminal act by the office. At this stage, if valid arguments and evidence collection is certainly there, and crimes committed by the accused is suspected, the requirement of the principle of presumption of innocence, the accused must be acquitted. Article 37 Q. A. In this regard states that "the principle of the presumption of innocence, and no one is guilty unless proven guilty in court." The principle of legal texts in many other countries, and the international instruments to be seen clearly. For example, Article 11 of the Universal Declaration of Human Rights provides: "Everyone charged with a crime, it will be presumed innocent until, in a public trial at which all the guarantees necessary for defense procurement is open crime, he believes the law."

2-2 doubts in the sentence: After referring to the law of mass behavior were confirmed, and given the evidence to establish the defendant's criminal case assignment, to be guilty hearing is for the Punishment of, visit to the law, if at this stage of doubt and ambiguity exists in determining the sentence, the requirement of the principle of legality of penalties, it is questionable sentence issued. Article 36 Q. A. States that "a sentence and the sentence must be only by a competent court of law." In such cases, the hearing officer determines the punishment, the degree of certainty of punishment, and the surplus is to be skeptical. For example, the law is considered a crime punishable by imprisonment particular, the Ombudsman, because of the vagueness of the law, is reluctant to convict sentenced to three years in prison, or five years. Here about three years, no question, however, about the surplus is due to the principle of legality of penalties, should be sentenced to innocence. Example: Section 704 sanctions law (enacted in 2006) provides: "Everyone has a place to set up drinking alcohol, or people to be invited, in the three months to two years in prison and 74 lashes, or a million to twelve million five hundred thousand dollars, fines or Both they will be condemned, and if both of the offense, the maximum penalty will be condemned. "Office of Legal ambiguity in explaining that the "maximum penalty" exists, it is considered "means the maximum penalty prescribed in Article 704 [of sanctions], the maximum penalty is any.

It seems contrary to what, by some legal texts are used, the amount of penalties in cases of doubt, the presumption of innocence principle means that the current cannot be regarded as a conduit of the presumption of innocence, the task of proving the legal requirement, in such cases, the only doubts about the practice of punishment, not the ban and its mass.

However, in such cases may be attributed to the implementation of the principle of presumption of innocence, become a judge on the task in the sense that a judge is required by law to investigate and issue a warrant. However, as discussed in assuming, of course, the act committed by the accused guilty under the law, and punishment, the judge is required to determine the amount of the penalty, and the decision to implement it. Enough to ensure the assignment judge sentences are clear, but the excess of it, the judge shall issue a warrant or not? Based on the principle of presumption of innocence, the judge has no duty to punish suspected. Although this analysis is consistent with the criteria, consistent with the presumption of innocence, but two important points must be considered. First, the presumption of innocence, the rights of those accused of crimes usually arises in practice the task, not the task of judges in sentencing. Further, given the indisputable principle of "legal penalties" in criminal law, no distance away, and is based on the presumption of innocence principle. (Qany, Hosein, Shariati, Said, 2013)

3. The presumption of innocence means acquittal of religion: Sometimes the term "presumption of innocence" of civil rights, and the relations between them are used. In this context, two of the following can be considered separately.

1-3 doubt the evidence of religion: is the lack of it, and therefore there is no obligation to pay it. Also, if there are certain and definite religion, but the amount and exact amount is unknown and the amount is less, the amount is more uncertain, and much less so sure that the debt must be paid in excess of this amount, proof of religion suspicious, and the principle of non-fulfillment of such religious exemptions from paying it. For

example, if a creditor's claim in the amount of ten million dollars of his quest, but the amount of debt owed to announce eight million dollars, if the creditor is not valid in court, owes a duty to pay less, eight million dollars, and no duty to remain Riyal. Article 225 Q. T. It is also based on the same principle. At the top of the article reads: "The history of writing and the amount of all letters written to you, if the sum of all letters written more than once, and the amount of difference between them is less areas credits." However, later in this article legislator, provides: "If the sum of both written letters and digits, and the difference between them is the amount of characters is valid." Apparently philosophy of this ruling is that, since the probability of error, the sum will be writing letters is far less likely to make mistakes in the writing, so lawmakers this presumption prevails, the accuracy is the sum of the letters, and assume the sum of the letters, it was written, and practical implementation of the principle of presumption of innocence does not turn on. Yet, the law of the Czech another way, the contents and any difference in the Czech, Czech thereby failing to pay, the bank has seen. (Article 3 Czech law)

2-3 doubt proving liability in force: If, on the civil liability and liability arising from loss of property of another person, or injurious to others no doubt be achieved, the realization of guarantee and commitment beyond contract enforcement is suspected, the principle of non-liability, unless you have damage as definitive be established and documented the damage directly, to the person. Thus, it does not matter which cause is the religion of the contract or by law. Also, if there is doubt on the extent of damage, the less the need for certainty, and the verdict of acquittal with respect to a given surplus. It should be noted that, if there has been a definite fixed debt or liability, and uncertainty about the tribute and fall commitment is made, the principles remain the obligation of religion, and as the mentioned earlier, in this case, you must know the current Rooming it. (Article 198 Q. A. D. M.) Innocence and the principle of non-liability principle, the logical conclusion would follow that, in the case of claims, the plaintiff sought to prove your right, and loving person who claims he is against the need to provide proof of Innocence no. Also, the assignment of proving damages, claims, damages and losses has been assigned to read. Article 197 Q. A. D. M. The main result states, and states: "The principle of the presumption of innocence. So if someone claims a right, or another religion should prove it, otherwise read the oath, you will be issued a death sentence." Article 1257 Q. M. Provides: "Everyone has the right to claim, you must prove it."

Seems to be a broad concept that, in the above expression is mapped to the presumption of innocence, harmony and full compliance with the provisions of the presumption of innocence of Warcraft is because the presumption of innocence of Warcraft only in cases of doubt, the task used, but in many examples, by the authority aforesaid, or the principle of presumption of innocence is introduced as evidence, the presumption of innocence principle is not applicable in the real sense. However, if the perspective of Warcraft, see the examples above, you can use the principles as she started Illegalization, and the accuracy achieved similar results (Qany, Hosein, Shariati, Said, 2013)

Conclusion

1. Practical principle of presumption of innocence, is considered important, and if in search of legal resources, we could not find any reason for the existence of a legal duty, the principle of duty, in other words, when in doubt, the principle of presumption of innocence, we decided to base that.
2. evidence as proof of the presumption of innocence, expression were (Qur'an, Sunnah, consensus and reason but the most important reason, is the proof of the principle of reason, and the rule of reason " Ugly punishment without statement " is, the purpose of this rule is that, rationally is obscene, not punish someone for doing something that is forbidden and punished them.
3. The presumption of innocence is not useful or leave the practical need for that, if there is doubt, and this is no good reason to deny care, and good practice of caution, if possible, it is.
4. Verses and hadiths in this case were not available, but the wisdom of their culture, it would be rational reason innocence.
5. The principle of the presumption of innocence and has similarities with, the principle of the thing, to prove its existence is like, say, the task is to be presumed innocent until proved its existence, but the presumption of innocence is the task However, whether the principle of the obligation, no obligation discussion or topics
6. It is essential in the current legislation of the more fundamental issues to be considered, in principle application of Warcraft, the most important conclusions of law, and lawyers need to be familiar with the principles and jurisprudence and pass it the lifeline to deduce their legal issues.

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