

ITER CRIMINIS

CONCEPTO DE ITER CRIMINIS

Es el conjunto de etapas que atraviesa la ejecución de un delito y que comprende tanto los actos que tienen lugar en la fase interna como los que se llevan a cabo en la fase externa.

FASE INTERNA

Como sabemos el derecho penal sanciona la conducta y no pensamientos, esta fase no se castiga ya que se encuentra dentro del pensamiento de la persona. Esta fase se divide en:

- **Ideación:** Consiste en imaginarse el delito.
- **Deliberación:** Es la elaboración y desarrollo del plan, apreciando los detalles y forma en que se va a realizar.
- **Decisión:** El sujeto decide poner en práctica el plan.

FASE EXTERNA

En esta fase se exterioriza en la interna, o sea, en los actos planeados por la persona se realizan en el mundo exterior con el propósito de cometer un delito. Esta fase se divide en:

- **Actos Preparatorios:** Son aquellos que se presentan con anterioridad a la ejecución del delito y que están dirigidos a facilitarlo.
- **Actos de Ejecución:** Estos aparecen con la exteriorización del pensamiento humano mediante conductas que tienen una determinada finalidad.

EJEMPLO

NO ES PUNIBLE

- Matías decide matar a su amigo Gabriel mediante envenenamiento para quedarse como dueño de trabajo. Así planea matarlo una bendición clamuro.
- Matías va comprar el veneno en una tienda. **ACTOS PREPARATORIOS**

SI ES PUNIBLE

- El agente inicia la ejecución del delito.
- Matías vierte el veneno en la bebida y se lo ofrece Gabriel. **TENTATIVA**
- Gabriel se toma la bebida e inmediatamente muere. **CONSUMACION**
- Matías es ascendido al puesto de trabajo de su ahora difunto amigo Gabriel. **ACOTAMIENTO**

Iter Criminis La Intriga De Un Delito Abuso De Confianza N

H Kauffman



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