



Zurechnung Fremdverletzungen Alkoholisierten Fahrender Autofahrer

Anita Bell



Zurechnung Fremdverletzungen Alkoholisierter Fahrender Autofahrer:

Zurechnung von Fremdverletzungen bei Unfällen alkoholisierter oder zu schnell fahrender Autofahrer Anita

Bell, 2015-05-26 Studienarbeit aus dem Jahr 2014 im Fachbereich Jura Strafrecht Note 16 Universität Münster Veranstaltung Seminar im Straf und Strafverfahrensrecht Sprache Deutsch Abstract Es wird der Zurechnungszusammenhang bei Fahrlässigkeitsdelikten mit Bezug zum Straßenverkehr diskutiert Im Mittelpunkt stehen dabei Entscheidungen zu den sogenannten Trunkenheitsfällen und Geschwindigkeitsfällen Es werden die unterschiedlichen Ansichten in Rechtsprechung und Literatur eingehend erörtert Fahrlässigkeitsdelikte kommen in der Realität häufig vor und sind oft Teil von gerichtlichen Entscheidungen Insbesondere die fahrlässige Tötung 222 StGB und die fahrlässige Körperverletzung 229 StGB stellen wichtige Normen im Rahmen der Erfolgsdelikte dar Trotz zahlreicher Urteile ist die Handhabbarkeit dieser Fahrlässigkeitstatbestände mitunter schwierig und ihre Prüfung knifflig Neben den blischen Merkmalen wie Taterfolg Tathandlung und Kausalität sind die objektive Fahrlässigkeit und der objektive Zurechnungszusammenhang genau zu prüfen und festzustellen Letzterer setzt sich aus einem Pflichtwidrigkeitszusammenhang und einem Schutzzweckzusammenhang zusammen Der Pflichtwidrigkeitszusammenhang dient der Überprüfung ob der tatbestandliche Erfolg überhaupt durch ein rechtmäßiges Alternativverhalten vermeidbar war

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