

Abstract

The Crime of Dangerous Threatening under Section 353 of the Criminal Code

This thesis is focused on the crime of dangerous threatening according to section 353 of Act No. 40/2009 Coll., Criminal Code. The aim of this work is to comprehensively evaluate and analyze the historical and current legal regulation of the crime of dangerous threatening and to reflect on the considerations *de lege ferenda*.

The thesis is divided into three chapters. The first chapter deals with the historical development of the social phenomenon of dangerous threatening and its criminalization on the territory of today's Czech Republic. In particular, the period from the adoption of the Criminal Code in 1852 to the current legislation regulated by the Criminal Code of 2009 is mapped in detail.

The second chapter is devoted to the current regulation of the crime of dangerous threatening, especially to the obligatory and facultative elements of the *actus reus* of this crime. Special attention is then given to the imprecise legal concept of reasonable fear, the real content of which is clarified with the help of relevant case-law. Furthermore, this chapter contains an analysis of individual types of sanctions that can be imposed or certain statistical data.

The third chapter is reserved for comparison. In its first sub-chapter, it focuses on the comparison of the crime of dangerous threatening with its related crimes, such as violence against group of people and individual, dangerous pursuing or extortion. The second sub-chapter is then devoted to a comparison of domestic legislation with the legislation of the Federal Republic of Germany, Austria and Switzerland, as well as their evaluation *de lege ferenda* in relation to the Czech legislation.

Keywords: criminal offense, dangerous threatening, reasonable fear