

## CASES TO BE PROVEN IN THE INVESTIGATION OF THE CRIME OF CULTIVATION OF PROHIBITED CROPS

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### Abstract

The article examines the circumstances that must be clarified during the investigation. Criminal cases related to the illegal circulation of Drugs, Psychotropic Substances and their analogues are important for strengthening the evidence base. It is noted that their timely identification and proof will contribute to a complete, comprehensive and objective examination.

**Keywords:** provable cases, Drugs, Psychotropic Substances, opening and investigating a crime, sale of drugs without contact, organized criminal group.

### Introduction

We all know that the fight against and prevention of crimes related to the cultivation of narcotic drugs, psychotropic substances and prohibited drug-containing crops is the main direction of state policy in the criminal sphere. The social danger aspect of these crimes is high and poses a serious threat to the health of the population and the economic and moral foundation of society. The investigation of crimes related to the illegal circulation of narcotic drugs, psychotropic substances and their analogues in criminal procedural law has certain peculiarities that require the investigation of additional facts. These cases therefore include:

- determining the type and amount of narcotic drugs, psychotropic substances and their analogues, as well as determining whether the type and amount of narcotic drugs, psychotropic substances and their analogues are sufficient for the weight, criminal prosecution of a person and the criminal event;
- facts about the commission of illegal acts, types and quantities of narcotic drugs, psychotropic substances and their analogues;
- method of committing a crime;
- Place, time, circumstances of drug crime in criminal procedure law;
- Who committed the crime? Was it committed by a single person or by a group of people organized into a gang? What role does each participant play?

The following circumstances (reasons and conditions) contribute to the commission of a crime:

- With drugs in criminal procedure law;
- circumstances revealing the element of forensic features of the crime not related to the identity of the perpetrator;
- Non-criminal cases are subject to criminal liability, etc.

Medicines include various substances (herbal, synthetic, physical) that have a calming effect. The human nervous system also has a stimulating and hallucinogenic effect, which leads to addiction. Marijuana, cocaine, opium, heroin and hashish are also herbal drugs. Phenamine, amphetamines, fentanyl and methadone are synthetic drugs [2]. In recent years, new drugs have



appeared that replace psychoactive substances. They, along with amphetamines and cannabinoid-like compounds, are stimulants.

Drug trafficking is currently widespread [6, page 143]. Particular attention should be paid to the circumstances surrounding the commission of such crimes, especially the place where they were committed. Common places are primarily crowded places (malls, bars, markets, parks, etc.).

Since drug crimes are predominantly committed by organized crime, criminal procedure law requires proof of gang involvement in the following cases:

- groups, composition of the group, number of participants, involvement in crimes and other activities related to ensuring the functioning of the group due to the fact that the group of crimes committed were committed by organized criminals;
- the organization of a criminal group, the organization and planning of criminal activities, the stability of the composition of the group, the presence of certain rules of conduct and sanctions for their violation;
- the main directions of the group's criminal activity - the main and additional types of criminal activity, atypical criminal groups for this, their goals;
- technical equipment of the criminal group or communities, use of software, Internet resources, payment systems;
- leadership of a criminal group, its role in organizing and planning criminal activities, distribution of income, management of the group's Internet resources, influence on group members;
- the existence of corrupt relationships with people who work in state bodies, the authorities appointed for this purpose and the people who exercise these relationships.

Most evidence of such criminal activities can be obtained on the Internet. Because it is used by organized crime, it is often used as part of limited investigations to examine the contents of electronic storage devices found on individuals in connection with drugs in criminal procedure. Verification of electronic content carriers is often instantaneous, as the software used by the groups precludes long-term data storage due to the fact that it is perpetrated by organized crime. Finally, it should be noted that in criminal procedure law, the circumstances proven in the drug investigation case are of great importance for criminal prosecution. Accountability of the guilty and an objective and comprehensive investigation of the case. First of all, the issue of criminal aggression is important, that is, its inclusion in the list of narcotic drugs, psychotropic substances and their analogues.

In addition, it is important to establish the following measures:

- in drug trafficking,
- method of committing crimes,
- Existence of organized crime;
- Creating groups and defining the role of each member.

An investigation into contactless illegal narcotics trafficking is being investigated using a computer. At the same time, during this investigative activity, material (e.g. fingerprints, micro-objects, etc.) and virtual traces (e.g. traces of advertising placements on the website, correspondence about drug sales in Messenger, etc.) are found. Most of the evidence of criminal activity can be obtained through investigations and research on the Internet.



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