

RINGKASAN

SAFRINA YANTI NIM 210510077 **Analisis Pertimbangan Hakim Dalam Menjatuhkan Putusan Bebas Atas Tindak Pidana Penganiayaan Yang Menyebabkan Kematian (Studi Putusan Nomor 454/Pid.B/ 2024/PN Sby)**
(Hidayat, S.H., M.H. dan Muhibuddin, S.H., M.Hum.)

Putusan hakim yang menjatuhkan vonis bebas dalam Putusan Nomor 454/Pid.B/2024/PN Sby menimbulkan persoalan hukum karena bertentangan dengan Pasal 182 ayat (4) KUHAP yang mewajibkan putusan didasarkan pada surat dakwaan dan fakta yang terbukti di persidangan, serta Pasal 1 ayat (1) KUHP yang menegaskan asas legalitas. Meskipun hakim memiliki independensi, penerapan putusan di luar atau menyimpang dari dakwaan berpotensi melanggar asas *ultra petita* dan menimbulkan ketimpangan antara keadilan substantif dan kepastian hukum. Ketidaksesuaian ini mencerminkan adanya kesenjangan antara hukum yang seharusnya berlaku dan praktik putusan di lapangan.

Penelitian ini bertujuan untuk menganalisis putusan hakim dalam menjatuhkan pidana terhadap terdakwa dari perspektif independensi kekuasaan kehakiman dan perlindungan hak terdakwa, serta mengkaji pertimbangan hakim dalam Putusan Nomor 454/Pid.B/2024/PN Sby.

Penelitian ini menggunakan metode yuridis normatif dengan pendekatan kasus dalam Putusan Nomor 454/Pid.B/2024/PN Sby. Sumber data yaitu data sekunder dari bahan hukum primer, sekunder, dan tersier. Data dikumpulkan melalui studi kepustakaan dan dianalisis secara deskriptif-analitis.

Hasil penelitian ini menunjukkan bahwa hakim dalam menjatuhkan putusan pidana terhadap terdakwa ditinjau dari perspektif independensi kekuasaan kehakiman dan perlindungan hak-hak terdakwa berdasarkan Putusan No. 454/Pid.B/2024/PN Sby menimbulkan kontradiksi. Meskipun hakim berpegang pada asas independensi dan *in dubio pro reo*, putusan bebas yang dijatuhkan berpotensi menimbulkan tafsir sewenang-wenang dan mengaburkan batas antara keadilan substantif dan kepastian hukum. Sementara itu, pertimbangan hakim dalam menjatuhkan putusan atas tindak pidana penganiayaan yang menyebabkan kematian berdasarkan Putusan Nomor 454/Pid.B/2024/PN Sby juga kontradiktif. Meski alat bukti kuat seperti CCTV, keterangan saksi, visum, dan autopsi menunjukkan adanya rangkaian kekerasan yang menyebabkan korban meninggal dunia, hakim tetap berpegang pada asas *in dubio pro reo* dan menyatakan tidak adanya hubungan kausalitas yang meyakinkan. Penafsiran sempit ini mengabaikan unsur Pasal 351 ayat (3) KUHP yang tidak mensyaratkan niat khusus untuk membunuh, sehingga menghilangkan keadilan substantif bagi korban dan menciptakan ketidakpastian hukum serta mengikis kepercayaan masyarakat terhadap integritas peradilan.

Disarankan agar hakim senantiasa memperkuat integritas dan profesionalisme dalam menilai fakta hukum secara mendalam dan objektif, guna menjaga kepercayaan publik terhadap sistem peradilan pidana.

Kata Kunci: Pertimbangan Hakim, Putusan Bebas, Tindak Pidana Penganiayaan.

SUMMARY

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Analysis of Judges' Considerations in Delivering an Acquittal Verdict for the Crime of Assault Causing Death (Case Study of Verdict Number 454/Pid.B/2024/PN Sby)
(Hidayat, S.H., M.H. and Muhibuddin, S.H., M.Hum.)

A judge's verdict of acquittal in Decision No. 454/Pid.B/2024/PN Sby raises legal issues because it conflicts with Article 182 paragraph (4) of the Criminal Procedure Code, which mandates that decisions be based on the indictment and facts proven in court, and Article 1 paragraph (1) of the Criminal Code, which affirms the principle of legality. Although judges have independence, a verdict that deviates from the indictment could violate the principle of *ultra petita* and create an imbalance between substantive justice and legal certainty. This inconsistency highlights a gap between the law as it should be and the actual practice of court decisions.

This research aims to analyze judges' decisions in imposing criminal sentences from the perspective of judicial independence and defendants' rights, as well as to review judicial considerations in Decision Number 454/Pid.B/2024/PN Sby.

This research uses a normative juridical method with a case approach on Decision No. 454/Pid.B/2024/PN Sby. The data sources are secondary data from primary, secondary, and tertiary legal materials. The data were collected through a literature study and analyzed using a descriptive-analytical approach.

The results of this research show that the judge's decision to acquit the defendant from the perspective of judicial independence and the protection of the defendant's rights in Decision No. 454/Pid.B/2024/PN Sby creates a contradiction. Although the judge adheres to the principles of independence and *in dubio pro reo*, the acquittal could lead to an arbitrary interpretation and blur the lines between substantive justice and legal certainty. Meanwhile, the judge's considerations for the criminal act of assault causing death in the same decision are also contradictory. Despite strong evidence like CCTV footage, witness statements, and autopsy results that consistently show a series of violence leading to the victim's death, the judge still upheld the *in dubio pro reo* principle and stated there was no convincing causal link. This narrow interpretation ignores the elements of Article 351 paragraph (3) of the Criminal Code, which does not require a specific intent to kill. Consequently, it removes substantive justice for the victim and creates legal uncertainty while eroding public trust in the integrity of the judiciary.

It is recommended that judges always strengthen their integrity and professionalism in assessing legal facts deeply and objectively to maintain public trust in the criminal justice system.

Keywords: *Judicial Consideration, Acquittal Verdict, Crime of Assault.*