

## RINGKASAN

**SYAKIRA 220510030 Analisis Putusan Hakim Terhadap Tindak Pidana Korupsi di PT Timah Refined Bangka Tin (Studi Kasus Nomor 5009 K/PID.SUS/2025)  
(Romi Asmara, S.H., M. Hum dan Dr. Hamdani, S.H., LL.M.)**

Harvey Moeis yang merupakan bagian dari pengelolaan tata niaga timah di PT Timah Tbk dinilai terbukti melakukan tindak pidana korupsi dan pencucian uang secara bersama-sama, dengan kerugian negara mencapai 300 triliun rupiah. Hakim tingkat pertama menjatuhkan hukuman 6 tahun 6 bulan penjara, namun di tingkat banding ditingkatkan menjadi 20 tahun penjara dengan denda Rp1 miliar dan uang pengganti Rp420 miliar. Dan putusan kasasi Mahkamah Agung menolak permohonan kasasi Terdakwa, menegaskan bahwa putusan banding sudah tepat dan tidak bertentangan dengan hukum. Penelitian ini bertujuan untuk menganalisis putusan hakim terhadap tindak pidana korupsi di PT Timah Refined Bangka Tin. Selain itu, penelitian ini juga menganalisis bagaimana dasar pertimbangan hakim dalam menjatuhkan putusan dengan Nomor 5009 K/PID.SUS/2025.

Penelitian ini menggunakan metode kualitatif dengan pendekatan yuridis normatif, berfokus pada kajian hukum berdasarkan peraturan, putusan pengadilan, dan dokumen terkait tindak pidana korupsi. Data dikumpulkan melalui studi dokumen dari bahan hukum primer, sekunder, tersier, kemudian dianalisis melalui proses pengumpulan, reduksi, penyajian, dan penarikan kesimpulan.

Analisis putusan di Mahkamah Agung menegaskan penerapan Pasal 2 Ayat (1) *juncto* Pasal 18 Undang-Undang Tindak Pidana Korupsi, yang mengatur hukuman atas perbuatan memperkaya diri yang merugikan keuangan negara, serta Pasal 55 Ayat (1) Ke-1 KUHP yang menegaskan keterlibatan bersama dalam tindak pidana. Pada Pengadilan Tindak Pidana Korupsi Jakarta, hakim memberikan pertimbangan lebih ringan meliputi hal meringankan seperti sopan santun selama persidangan, tanggungan keluarga, dan rekam jejak bersih dari catatan hukum. Pada Pengadilan Tinggi DKI Jakarta, pertimbangan hakim banding menolak adanya hal yang meringankan, perbuatan memberatkan meliputi perbuatan Terdakwa yang menyakiti hati rakyat, tidak mendukung program pemberantasan korupsi, dan kerugian negara yang sangat besar. Mahkamah Agung menguatkan legalitas pertimbangan hakim tingkat pertama namun mengakomodir peningkatan hukuman yang diberlakukan di tingkat banding.

Disarankan kepada hakim agar putusan hakim hendaknya mengedepankan transparansi pertimbangan, terutama jika ada perbedaan signifikan antara putusan tingkat pertama dan banding agar publik mendapatkan penjelasan yang rasional dan dapat diterima. Perlu peningkatan pembinaan dan edukasi bagi aparat penegak hukum untuk menjaga integritas dan menghindari putusan-putusan yang kontroversial.

**Kata Kunci:** *Korupsi, Putusan Hakim, Pertimbangan Hakim.*

## SUMMARY

**SYAKIRA 220510030** *Analysis of the Judge's Decision on the Corruption Crime at PT Timah Refined Bangka Tin (Case Study Number 5009 K/PID.SUS/2025)*  
(Romi Asmara, S.H., M.Hum and Dr. Hamdani, S.H., LL.M.)

*Harvey Moeis, who was part of the tin trading management team at PT Timah Tbk, was found guilty of corruption and money laundering, causing the state to suffer losses of 300 trillion rupiah. The first instance judge sentenced him to 6 years and 6 months in prison, but the appeal court increased the sentence to 20 years in prison with a fine of Rp1 billion and compensation of Rp420 billion. The Supreme Court's cassation decision rejected the defendant's cassation petition, confirming that the appeal decision was appropriate and did not violate the law. This study aims to analyze the judge's decision on the criminal act of corruption at PT Timah Refined Bangka Tin. In addition, this study also analyzes the basis for the judge's consideration in handing down the decision with Number 5009 K/PID.SUS/2025.*

*This study uses a qualitative method with a normative juridical approach, focusing on legal studies based on regulations, court decisions, and documents related to criminal acts of corruption. Data was collected through document studies from primary, secondary, and tertiary legal materials, then analyzed through a process of collection, reduction, presentation, and conclusion drawing.*

*The Supreme Court's analysis of the verdict upheld the application of Article 2 Paragraph (1) in conjunction with Article 18 of the Corruption Crime Law, which regulates punishment for acts of self-enrichment that harm state finances, as well as Article 55 Paragraph (1) of the Criminal Code, which confirms joint involvement in criminal acts. At the Jakarta Corruption Court, the judge gave lighter considerations, including mitigating factors such as good behavior during the trial, family responsibilities, and a clean legal record. At the DKI Jakarta High Court, the appeal judge rejected the mitigating factors and considered aggravating factors, including the defendant's actions which hurt the people, did not support the anti-corruption program, and caused enormous losses to the state. The Supreme Court upheld the legality of the first instance judge's considerations but accommodated the increase in punishment imposed at the appeal level.*

*It is recommended that judges prioritize transparency in their considerations, especially if there are significant differences between the first instance and appeal verdicts, so that the public receives rational and acceptable explanations. There is a need to improve guidance and education for law enforcement officials to maintain integrity and avoid controversial verdicts.*

**Keywords:** *Corruption, Judicial Decisions, Judicial Considerations.*