

## **Analysis Of The Choice Of Fine As An Alternative Punishment In Criminal Offences In Rantauprapat District Court (Decision Study Number: 826/Pid.C/2024/PN.Rap)**

**Ahmad Raja HP, Zainal Abidin Pakpahan, Nimrot Siahaan**  
Faculty of Law, Labuhanbatu University, Rantauprapat

\*Corresponding Author

Email: [ahmadraja21@gmail.com](mailto:ahmadraja21@gmail.com), [zainalpakpahan@gmail.com](mailto:zainalpakpahan@gmail.com), [nimrotsiahaan4@gmail.com](mailto:nimrotsiahaan4@gmail.com)

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### **Abstract**

*The choice of fines as an alternative punishment in a criminal act regulated in legislation, but rather an inseparable part of the substance or material of the legislation itself, where judges rarely impose fines on defendants, even though fines are also a solution for the application of criminal law, this has been regulated in Article 10 of the Criminal Code, one of which mentions fines as part of a criminal act. The problem in this study is how the judge's considerations in deciding criminal fines contained in criminal cases, and how to apply criminal sanctions to perpetrators of criminal acts contained in the decision of criminal case Number: 826 / Pid.C / 2024 / PN.Rap., and the method in this study is normative juridical, with a case study approach, by drawing deductive conclusions. The results of this study are the judge's considerations in deciding criminal cases of fines contained in criminal cases, in fact the judge in making a decision has carried out legal considerations, so the judge will first draw the trial facts and is a cumulative conclusion from the statements of witnesses, the defendant's statement, and evidence submitted and examined in court, which is oriented to the dimensions of the locus and tempus delicti of the crime committed, after the trial facts are stated, in the decision the judge will consider the elements (bestanddelen) of the crime that has been charged by the prosecutor or public prosecutor which has a correlation between the facts of the crime charged and the elements of the defendant's guilt that will be sentenced to a fine, and the judge in imposing a fine through his considerations is very limited by the rules of punishment, because the judge has the freedom to determine the type of punishment as contained in Article 10 of the Criminal Code, be it imprisonment, confinement and or a fine. and the application of criminal sanctions for the defendants as in the decision of case Number: 826 / Pid.C / 2024 / PN.Rap. where the judge sentenced the defendant by applying Article 364 of the Criminal Code by adjusting to Perma Number 02 of 2012 concerning the limits of criminal law adjusted in the Criminal Code so that in fact the judge found the defendant had legally and convincingly committed the crime of minor theft as referred to in the Perma and other laws so as to impose a fine on the defendant in the form of a fine in the form of money amounting to Rp. 200,000.00 (two hundred thousand rupiah) with the provision that if the defendants cannot pay it, it will be replaced with imprisonment for 7 (seven) days since the decision was read and has permanent legal force.*

**Keywords:** *Criminal, Fine, Alternative, Sentencing.*

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## **INTRODUCTION**

Criminal fines are one of the types of criminal penalties that have long been accepted and applied in the legal system in various countries and nations in the world. However, the regulation and procedures for implementing criminal fines in one country with another country have differences according to the conditions and developments of society in each region of the country. So that criminal fines can be interpreted as a punishment in the form of a requirement to pay in the form of money that is deliberately imposed or imposed on someone who has been proven guilty of committing a crime (Syaiful Bakhri, Development of the Indonesian Criminal System, 2009:131). Explicitly, a fine is a type of punishment contained in the Criminal Code (KUHP) which aims to burden someone who violates the provisions of the Criminal Code by paying a certain amount of money or property so that it is felt as a loss by the perpetrator himself so that order in society is restored (Aisah: The Existence of Criminal Fines According to the Criminal Code System, 2015:215).

The determination of criminal sanctions in the form of fines in criminal legislation is not merely a matter of technical legislation, but rather an inseparable part of the substance or material of the legislation itself. This has received serious attention considering the various limitations

and capabilities of criminal law in combating crime. Moreover, there is a tendency in legislative policy products that criminal law is almost always used to intimidate or secure various crimes that may arise in various fields. This kind of phenomenon gives the impression that it is felt to be less than perfect or bland if a legislative product does not have criminal provisions (sanctions) (Barda Nawawi Arief, *Some Aspects of Criminal Law Enforcement and Development Policy*, 1994:27).

The Criminal Code (KUHP) in Article 10, criminal penalties are divided into principal penalties and additional penalties. Principal penalties consist of the death penalty, imprisonment, detention, and detention. While additional penalties consist of the revocation of certain rights, confiscation of certain goods, and the announcement of the judge's decision. Imprisonment is one form of punishment that The criminal justice process is the structure, function, and decision-making process by a number of institutions, such as the Police, Prosecutor's Office, Courts, and Correctional Institutions concerning the handling of perpetrators of criminal acts (Andi Hamzah, *Criminal and Penal System in Indonesia* : 1993:27).

In the Criminal Code which adopts the Single Track System, namely the imposition of sanctions only includes criminal sanctions that are of a suffering nature as a form of punishment. While the Double Track System in the latest Criminal Code is the imposition of sanctions not only regulates criminal sanctions but also regulates sanctions for actions. Criminal sanctions and sanctions for actions are two different types of sanctions. Criminal sanctions emphasize the element of retaliation while sanctions for actions are more oriented towards community protection and development. The imposition of a sentence that has the aim as an aspect of retaliation and as an aspect of improvement or rehabilitation, but in practice the imposition of a sentence tends more towards retaliation only. Imprisonment is one type of punishment used for convicts as retaliation for the crimes they have committed. Judges as part of law enforcement in the criminal justice system have the authority to examine all cases submitted to them until they make a decision on the case being examined in court. The decision made by the judge can be in the form of an acquittal, a decision to be free from all charges, a criminal decision and a fine decision. In relation to criminal decisions, where a judge must impose criminal sanctions on the perpetrator in accordance with Article 10 of the Criminal Code as the basis for selecting the appropriate type of punishment to be imposed on the perpetrator of the crime.

Criminal fines can also be said to be combined criminal penalties or as a substitute for unpaid imprisonment or the use of single criminal fines against corporations or fines that are accumulated with actions, especially those contained in corruption court decisions. This phenomenon is the beginning of the position and repositioning of fines as sanctions whose use is starting to be favored by legislators. However, legislators never take into account how the execution process for unpaid fines is, thus disrupting the effectiveness of the application of the fine itself. Therefore, if the fine is not paid, the Criminal Code mechanism that will apply is with a maximum imprisonment of only eight months. The imposition of criminal penalties on someone who commits a crime is a very important part of realizing a good criminal justice system, in this case the judge should be able to choose which type of punishment is right to be imposed on the perpetrator (Barda Nawawi Arif, *Criminal Law Policy Anthology*: 2002:54). Therefore, the role of the judge greatly determines the effectiveness of the punishment that will be imposed on a perpetrator. Of the several types of punishments contained in Article 10 of the Criminal Code, a fine is one of the main types of punishment that is very rarely chosen by judges in sentencing perpetrators of criminal acts.

In contrast to the judge's considerations when sentencing the defendant in the Rantauprapat District Court, where the judge focused more on imposing a fine on the defendant through various considerations of the judge contained in Decision Number: 826/Pid.C/2023/PN.Rap, where in the judge's legal considerations in imposing a fine on the defendant named Abadi Pratama, he imposed a fine on him so that it became a legal study in the

judge's considerations in deciding the fine case, because judges at the Rantauprapat District Court rarely apply fines to defendants and almost all judges decide on imprisonment which is actually imprisonment as a sanction for the punishment that will be served by the defendant, this is very different from the Rantauprapat District Court decision with Number 826/Pid.C/2024/PN.Rap, which has imposed a fine on the defendant as an alternative punishment for perpetrators of theft in the Rantauprapat District Court, even in its decision if the fine imposed cannot be paid by the defendant, it will be replaced with imprisonment for 7 (days) days since the case has permanent legal force (*inkracht van dewijk*) so that analysis of the judge's considerations in deciding the case is rarely carried out by a judge when deciding a case by granting a fine as the main punishment contained in the Criminal Code.

## RESEARCH METHODS

This research is normative juridical research. The data used is secondary data consisting of; primary legal materials and secondary legal materials. Data collection was carried out through library research and document study. Data analysis was carried out using a social approach, a conceptual approach, a statutory approach and a case approach. So the data analysis uses qualitative analysis by drawing conclusions deductively, so that the theory used in this research is the theory of legal causality with the consideration that money politics is a violation of people's democratic rights through intervention in village head elections.

## RESULT AND DISCUSSION

### 1. Judge's Considerations in Deciding on Criminal Cases Fines as a Punishment in Criminal Cases

The freedom of judges also needs to be explained in the position of impartial judges (*impartial jugde*) Article 5 paragraph (1) of Law No. 48 of 2009. The term impartial here must not be literal, because in making a decision the judge must side with the right. In this case it does not mean not being biased in his considerations and assessments. More precisely the formulation of Law No. 48 of 2009 Article 5 paragraph (1): "The court judges according to the law without discriminating between people, (Peter Mahmud Marzuki, Legal Research: 2006:141).

A judge is required to uphold the law and justice impartially. In rendering justice, a judge must first examine the truth of the event submitted to him, then provide an assessment of the event and relate it to the applicable law. After that, the judge can issue a verdict on the event. A judge is deemed to know the law so that he may not refuse to examine and try an event submitted to him. This is regulated in Article 16 paragraph (1) of Law No. 35 of 1999 in conjunction with Law No. 48 of 2009, namely: the court may not refuse to examine and try a case submitted on the grounds that the law is not or is less clear, but is obliged to examine and try it.

A judge in finding his law is allowed to reflect on the jurisprudence and opinions of famous legal experts (*doctrine*). Judges in making decisions are not only based on the legal values that exist in society, this is explained in Article 28 paragraph (1) of Law No. 48 of 2009, namely: "Judges are required to explore, follow, and understand the legal values that exist in society". Based on the judge's considerations by paying attention to the principles of justice, propriety and benefit as well as mitigating and aggravating factors in the decision of the first-level panel of judges according to the criminal appeal judge that has been imposed by the first-level panel of judges is appropriate, in accordance with the defendant's guilt and has fulfilled the sense of justice in society and is expected to provide a deterrent effect for other people not to commit similar acts. However, regarding the inclusion of Perma Number 2 of 2012 as the legal basis for the fine, the

defendant's guilt according to the opinion of one of the judges at the Rantau Prapat District Court is appropriate (PERMA: 02:2012). because the Perma is to be used as a legal basis in examining the crime of theft with losses below Rp. 2,500,000 (two million five hundred thousand rupiah) and not for other criminal acts, therefore the legal basis must be appropriate.

Then in the basic theory of legal considerations as the basis for sentencing, where the judge in imposing a sentence must have a conviction, the judge in passing a verdict is not merely the role of the judge himself to decide, but the judge believes that the defendant has committed the crime charged and supported by valid evidence according to the Law. The function of the judge is to give a verdict on the case submitted, where in criminal cases, it is inseparable from the negative evidence system, which in principle determines that a right or event or error is considered proven, in addition to the existence of evidence according to the Law, it is also determined by the judge's conviction which is based on good moral integrity (Ahmad Rifai, *Legal Discovery by Judges in the Perspective of Progressive Law*: 2010:103).

The criminal law policy in the form of changes and increases in the threat of criminal fines in the Criminal Code will not have much meaning because it is not accompanied by changes to the overall system of implementing criminal fines. While the criminal law policy or penal policy is essentially how criminal law can be formulated well and be able to provide guidance to lawmakers (legislative policy), application policy (judicial policy), and implementation of criminal law (executive policy). (Zainal Abidin Pakpahan, *The Existence of the People's Consultative Assembly in the Indonesian State System: A Constitutional Legal Review*, 2018:82).

All criminal fines, after the issuance of Perpu No. 16 of 1960 and Perpu No. 18 of 1960, were read in rupiah and multiplied fifteen times. Thus, the general minimum criminal fine which was originally twenty-five cents became Rp. 3.75. Since the issuance of the two perpu, there has been practically no more adjustment of the amount of criminal fines in the Criminal Code with the development of currency values. In fact, since 1960, the value of the rupiah has decreased by 10,000 times when compared to the price of gold in 2012. The absence of this adjustment has caused people who commit crimes who should be charged with Articles 364, 373, 379, 384, 407 paragraph (1) or 482 to be charged and punished with Articles 362, 372, 378, 383, 406, and 480. With a light criminal fine, judges prefer to impose imprisonment rather than impose a fine in cases charged with articles whose punishment is threatened alternatively between imprisonment or a fine. Given these conditions, in 2012, the Chief Justice of the Republic of Indonesia issued Supreme Court Regulation No. 2 of 2012. Based on Supreme Court Regulation No. 2 of 2012, the words "two hundred and fifty rupiah" in Articles 364, 373, 379, 384, 407 and 482 of the Criminal Code are read as Rp. 2,500,000 (two million five hundred thousand rupiah). In addition, the maximum amount of criminal fines threatened in the Criminal Code is multiplied 1,000 (one thousand) times, except for Article 303 paragraph (1) and paragraph (2), Article 303 paragraph (1) and paragraph (2) concerning gambling (PERMA: 02:2012).

There are three things that need to be noted from the issuance of Supreme Court Regulation No. 2 of 2012, namely: First, the Criminal Code is a law that to change or revoke it must be through a law or through a government regulation in lieu of a law. The Chief Justice of the Supreme Court actually changed the criminal value of fines in the Criminal Code through Supreme Court Regulation No. 2 of 2012, even though in the consideration of the Supreme Court Regulation it has been stated that the Supreme Court Regulation is not intended to change the Criminal Code but only to adjust it. The use of the word "adjust" according to the author is only to avoid the word "change" because a law can only be changed through a law or statutory regulation that is parallel to the law such as a government regulation in lieu of a law (PERMA: 02:2012). Second, based on the General Explanation of Supreme Court Regulation No. 2 of 2012, it can be concluded that the increase in the value of criminal fines in the Criminal Code should be 10,000 times. However, Article 3 of Supreme Court Regulation No. 2 of 2012 states that each

maximum amount of fines threatened in the Criminal Code except Article 303 paragraph 1 and paragraph 2, 303 paragraph 1 and paragraph 2 can be multiplied to 1,000 times. If compared, there is no conformity between the Supreme Court's basis for adjusting the value of criminal fines by 10,000 times with Article 3 which only multiplies it 1,000 times (PERMA: 02:2012).

Third, based on the conclusion of the research results of (Khoiru Duhuri et al:2012:252) in 2012, which stated that investigators and public prosecutors are not required to comply with Supreme Court Regulation No. 2 of 2012, so that investigators and public prosecutors can carry out detention in accordance with the provisions of the Criminal Code. When the case has entered the court hearing, Supreme Court Regulation No. 2 of 2012 can be enforced. Given this, changes to the value of criminal fines should be made through laws or regulations in order to be binding on all law enforcement officers. Related to the criminal decision in the judge's consideration, where a judge must provide criminal sanctions for the perpetrator, including criminal fines in accordance with Article 10 of the Criminal Code as the basis for selecting the right type of punishment to be imposed on the perpetrator of the crime.

Departing from the idea that becomes the issue of justice seekers regarding the problem that most often becomes discourse is about the issue of justice in relation to the law. This is because the law or a form of legislation that is applied and accepted with different views, views that consider the law to be fair and vice versa the law is unfair (A.Hamid S Attamimi, Developed by Maria Farida Indrati S, from the Legal Science Lecture, Types, Functions, and Content Material, 2007:15). John Rawls, who is seen as a “liberal-egalitarian of social justice” perspective, argues that justice is the main virtue of the presence of social institutions. However, the virtue for the whole society cannot ignore or challenge the sense of justice of every person who has obtained a sense of justice. Especially the weak society seeking justice (John Rawls, A Theory Of Justice The Basics Of Political Philosophy To Realize Social Welfare In The State, 2006:143). Justice can only be understood if it is positioned as a condition that the law seeks to realize. Efforts to realize justice in the law are a dynamic process that takes a lot of time. These efforts are often also dominated by forces that fight within the general framework of the political order to actualize it.

Such problems are often found in concrete cases, such as in a court proceeding of a defendant in a criminal case (criminal of justice) or a defendant in a civil case (private of justice) or a defendant in a state administrative case (administration of justice) or vice versa as a plaintiff feels unfair towards the decision of the panel of judges and vice versa the panel of judges feels with their conviction that the decision has been fair because the decision has been based on legal considerations written in the form of statutory regulations. The theory of proof is based on Positive Law (Positif Wettwlijks theorie) (Andi Hamzah, Criminal Procedure Law in Indonesia, 1996:251).

If so, what is the view of justice according to generally applicable rules or regulations that regulate human relations in society or positive law (Indonesia) (Mochtar Kusumaatmadja dan B. Arief Sidharta, Introduction to Legal Science, A First Introduction to the Scope of Legal Science, 2000:4). In concrete terms, law is a set of principles and rules that regulate relations between humans in society, whether they are kinship, family in a country's territory. And the legal community regulates its life according to the same values in the community itself (shared value) or has a certain purpose. People can consider justice as an instinctive desire that is expected to be beneficial to themselves. The reality of absolute justice is assumed to be a universal problem that applies to all humans, nature, and the environment, there should be no monopoly carried out by a handful of people or a group of people. Or people consider justice as an individual's view that upholds the greatest benefit for themselves.

Then in the determination of criminal fines in the Criminal Code, it is a type of criminal sanction that differs in the percentage amount and threat of the type of criminal penalty with the new Criminal Code, both the penalty that is threatened as an alternative or a single penalty.

Starting from Article 104 to Article 488 for crimes (Book II) and from Article 489 to Article 569 for violations (Book III), the formulation is a single prison sentence, imprisonment with an alternative fine, single imprisonment, imprisonment with an alternative fine, and a single threatened fine, this has been stated in the latest Criminal Code which was enacted in 2023. Judges in imposing fines must consider the convict's ability. In assessing the convict's ability, judges must consider what the convict can afford in relation to his personal and social circumstances. This shows that the purpose of punishment is no longer as revenge but as a means to improve the perpetrator. However, this provision does not reduce the continued application of the special minimum fine set for criminal acts as punishment regulated in the Criminal Code.

## **2. Analysis of the Implementation of Criminal Sanctions in the Form of Fines Against Criminal Offenders Through the Decision of the Rantauprapat District Court Judge Number: 826/Pid.C/2024/PA.Rap.**

In the criminal case of a fine decided by the Rantauprapat District Court Judge as the first instance court on December 16, 2024 based on Decision Number: 862/Pid.C/2024/PN.Rap., then with this the Public Prosecutor because in the criminal order of theft in the case the public prosecutor in considering it because the crime committed by the Defendant is a minor crime in accordance with Supreme Court Regulation Number 02 of 2012, the nominal loss does not reach the figure stipulated in the Perma so that the victim does not mind if the case is not appealed as an ordinary legal remedy against the Rantauprapat District Court Decision. The reasons for the panel of judges in implementing the decision of the criminal case of a fine for the crime of minor theft submitted by the Public Prosecutor through investigators at the Rantauprapat District Court are as follows :

- a. That based on the statements of the witnesses, the defendants and the evidence presented to the trial, the judge is of the opinion that the defendants have been proven legally and convincingly guilty of committing a crime as referred to in Article 364 of the Criminal Code in conjunction with Perma No. 2 of 2012 concerning the adjustment of the Limitation of Minor Criminal Acts and the Amount of Fines in the Criminal Code;
- b. That because the defendants are capable of being responsible, they must be declared guilty and sentenced to a criminal penalty;
- c. That in terms of imposing a criminal penalty on the defendants, it is not merely for revenge for their actions, but the purpose of the punishment is as a means of improving the behavior of the defendants so that the defendants do not repeat their actions;
- d. That regarding the evidence in the form of 1 (one) plastic sack containing 40 (forty) kg of oil palm fruit was returned to the owner, namely PT. SMA Aek Nabara through witness Hendra Sianturi;
- e. That 1 (one) unit of a black Honda Supra X 125 motorcycle without a police number was returned to the rightful party through the defendant;
- f. That because the defendants were sentenced to a criminal offence, they must also be burdened with paying court costs; (Rantauprapat District Court Decision Number: 826/Pid.C/2024/PN.Rap., 2024:3).

Based on the judge's legal considerations in imposing a criminal fine on the defendant above, it can be analyzed that the judge has examined the criminal acts contained in the Criminal Code, namely Article 364 which is then adjusted to the minor criminal acts contained in Perma Number 02 of 2012 concerning the adjustment of criminal acts in the Criminal Code which is reviewed through the trial facts contained through the evidentiary mechanism in the trial where the defendant only stole 1 (one) plastic sack of oil palm fruit weighing 40 (forty) Kg belonging to PT. SMA Aek Nabara if estimated does not exceed the criminal offense suspected of the defendant contained in Perma Number 02 of 2012 so that the judge in considering his decision adjusted the criminal offense imposed on the defendants to a fine only with the legal basis being Perma Number 02 of 2012 Concerning the Adjustment of the Limits of Minor Criminal Acts and

the Amount of Fines in the Criminal Code. So that the qualification of the crime that was declared proven by the judge was appropriate because it stated in the verdict that "the defendant is guilty of committing the crime of "theft" but the difference regarding the sentence (sorry) imposed by the panel of judges can reflect justice for the perpetrator and for the community as the victim of the crime of theft.

Then the panel of judges has considered Article 364 of the Criminal Code in conjunction with Perma Number 02 of 2012 and other laws and regulations related to the case. So then the panel of judges of the Rantauprapat District Court tried by imposing the following sentence:

1. Declare that the defendant Abadi Pratama has been proven legally and convincingly guilty of committing the crime of "minor theft";
2. Impose a fine on the defendants therefore each amounting to Rp. 200,000.00 (two hundred thousand rupiah) with the provision that if the fine is not paid, it will be replaced with imprisonment for 7 (seven) days;
3. Determine that the evidence in the form of 1 (one) plastic sack containing 40 (forty) kg of oil palm fruit is returned to the owner, namely PT. SMA Aek Nabara through witness Hendra Sianturi;
4. Determine that 1 (one) unit of Honda Supra X 125 motorcycle, black color without a police number, is returned to the rightful party through the defendant;
5. Charge the defendants to pay court costs each amounting to Rp. 5,000.00 (five thousand rupiah).

Based on the above decision, it can be analyzed that the judge in deciding the case is in accordance with the sense of justice experienced by the defendant and becomes a dilemma for the victim even though the victim does not object to the decision through the public prosecutor in this case represented by the investigator from the police because this case is a minor criminal case as intended in Perma No. 02 of 2012 concerning the adjustment of criminal acts in the Criminal Code. However, in the judge's consideration before issuing the decision, it does not clearly describe how much the fine will be paid by the defendant, which then also does not clearly explain that it will be replaced with imprisonment for 7 (seven) days if the defendant is not willing to pay the fine. This shows that the judge is not careful in his considerations which are not clear in concrete terms to include it in the decision considerations which are in fact a requirement in the legal considerations as contained in the Criminal Procedure Code. So from the judge's considerations, only the fines regulated in the Criminal Code are included, which do not include the nominal amount in his legal considerations, then the judge in his decision immediately imposes a fine imposed on the defendant of Rp. 200,000.00 (two hundred thousand rupiah) which if not paid by each defendant will be replaced with imprisonment for 7 (seven) days.

Criminal punishment is a manifestation of punishment in concrete form. Criminal punishment can only be carried out by a judge who examines the criminal case in question to make a decision, the judge must have wise considerations so that the decision is in accordance with the principle of justice (Masruchin Ruba'i, *Understanding Criminal Law and Criminalization in Indonesia*, 1994:63) Jhon Rawls' view that law as a social order that can be declared fair if it can regulate human actions in a satisfactory way so that they can find happiness in it which is considered fair (Jhon Rawls, *A Theory Of Justice Theory Of Justice The Basics Of Political Philosophy To Realize Social Welfare In The State*, 2006: 139-140) So this view is positivistic, the values of individual justice can be known by legal rules that accommodate general values, but still the fulfillment of a sense of justice and happiness is intended for each individual. Furthermore, the criminal fine imposed on the defendant when giving the fine where the defendants only entrust it to the Public Prosecutor through the police investigator delegated by the prosecutor who in fact the fine given by the defendant is not solely handed over to the

victim but is even taken by the State through the public prosecutor as the executor of the criminal decision imposed by the Rantauprapat District Court judge, this is seen that the criminal fine alone has not touched on justice for the victim who in fact the fine should be handed over to the victim of the crime.

## CONCLUSION

The judge's consideration in deciding a criminal fine in a criminal case is seen from the aspect of legal considerations against the criminal act charged, legal considerations are proof of the elements (bestandelen) of a criminal act against the defendant's actions have met the elements and are in accordance with the criminal act charged by the prosecutor or public prosecutor. So that in practice the judge before legal considerations are definitely proven and considered, the judge will first draw the facts of the trial that arise and are cumulative conclusions from the statements of witnesses, the defendant's statements, and evidence submitted and examined in court, which are oriented to the dimensions of the locus and tempus delicti of the criminal act committed, the cause or background of the defendant to commit the crime and the evidence used by the defendant in committing the crime and so on. The application of criminal sanctions against perpetrators of criminal acts contained in the decision of criminal case Number 826/Pid.C/2024/PN.Rap. Must be through considerations that have been made by the judge in examining the case has given a decision on Article 364 (1) of the Criminal Code, and Perma No. 02 of 2012, Criminal Procedure Code (KUHAP) No. 8 of 1981 and other legal provisions related to the theft case, namely, by stating that the defendant Abadi Pratama has been legally and convincingly proven guilty of committing the crime of "minor theft" and imposing a fine on the defendants therefore each amounting to Rp. 200,000.00 (two hundred thousand rupiah) with the provision that if the fine is not paid, it is replaced with imprisonment for 7 (seven) days, so that the defendant who is sentenced to the fine if he feels unable to pay the fine can immediately serve imprisonment in lieu of the fine.

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