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Corruption Crimes Committed by the Former Regent of Hulu Sungai Tengah

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Abstract

Introduction: *This study examines the case of the former Regent of Hulu Sungai Tengah, Abdul Latif, who has been proven guilty of corruption and money laundering in Decision Number 12/PID.SUS-TPK/2023/PT BJM.*
Purposes of the Research: *The purpose of this study is to analyze whether the criminal elements contained in Decision Number 12/PID.SUS-TPK/2023/PT BJM have been proven in their entirety and what kind of punishment was imposed by the panel of judges.*
Methods of the Research: *This study uses a normative juridical method with a case study approach and legislative analysis.*
Findings of the Research: *This investigation found that all elements of the crime had been proven legally guilty based on evidence, witness testimony, and trial facts. However, the prison sentence and obligation to pay compensation imposed were still not proportional to the amount of state losses, which amounted to IDR.41,553,554,006.00.*

Keywords: Corruption; Money Laundering; Civil Servants.

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INTRODUCTION

Corruption is a word that comes from the Latin *corruptus corrupti*. In Law Number 31 of 1999 concerning the Eradication of Corruption Crimes, corruption is an act that is contrary to the law, committed by individuals intended to enrich themselves, other individuals or a business entity, and these acts make financial or state losses. Corruption is the beginning of the nation's problems and can also be the main cause of poverty. Poverty can become a big problem for the Unitary State of the Republic of Indonesia, where poverty occurs due to state management carried out with Corruption, Collusion, and Neporism.[1]

In Indonesia, there are many cases of corruption. Things that can cause corruption due to the existence of habits in society that have implemented corrupt habits and attitudes, such as time corruption, bribery or accepting bribes, and various other forms.[2] Corruption cases can be an obstacle in the development process in Indonesia. As an *extraordinary crime*, corruption has the potential to disrupt the goals and ideals of the nation, so it needs to be handled more seriously and firmly.[3] The crime of corruption in the form of bribery is closely related to gratuities, because both are acts that are prohibited by law and are related to the

[1] Bambang Waluyo, *Pemberantasan Tindak Pidana Korupsi* (*Strategi Dan Optimalisasi*), (Jakarta: Sinar Grafika, 2016), p. 8.
[2] Diwa Putra Fachri Hamzah, "Efektifitas Undang-Undang Pemeberantasan Tindak Pidana Korupsi Terhadap Tindak Pidana Suap Menyuap Oleh Pejabat Negara", *Maleo Law Journal* 8 (2024), p. 79.
[3] Faisal Santiago, "Penegakan Hukum Tindak Pidana Korupsi oleh Penegak Hukum untuk Terciptanya Ketertiban Hukum", *Pagaruyuang Law Journal* 1, no. 1 (2017), p. 24.

receipt of something from another party, The difference lies in the element of proof, where in the case of bribery bribery there must be an agreement between the giver and the receiving, and it must be proven whether the giving affects public officials to act in violation of their obligations and authority.[4]

But usually perpetrators of corruption crimes do not directly use the results because of fear. Therefore, perpetrators usually always try to cover up the history of the results of corruption in various ways, such as putting it into the bank, this method is done to hide or disguise the source of wealth, in order to avoid tracking by the authorities, which is known as the crime of *money laundering*. Thus, it can be declared a criminal act of corruption related to and similar to the act of money laundering.[5]

Previous research that has a similar topic to this research is a study by Handiansyah Banu Condro (2021), which examines the basis of judges' considerations in reducing the weight of crimes through Supreme Court decisions that are examined as contrary to the corruption law and then examined whether the judge's attitude is contrary to the code of ethics or is appropriate.[6] Meanwhile, Yusuf Ahsan (2024), conducted an analysis of the ratio of decisionndi (the basis of legal considerations) used by the panel of judges and also examined law enforcement efforts in corruption cases as language in Decision Number: 8/Pid.Sus-TKP/2022/PN. Sby.[7] In addition, there is from Mohammad Hadi Sujipto (2019), this study discusses the influence of officials on tender participants who bribe which can give rise to corruption crimes and what the authority of officials in making decisions related to the procurement of goods and services through legal rules.[8]

In contrast to previous studies, this study focuses on the analysis of criminal elements and also the imposition of criminal by the panel of judges in Decision Number: 12/PID. SUS-TPK/2023/PT BJM. In this case, Abdul Latif, the former Regent of Hulu Sungai Tengah who has been legally proven guilty of corruption and money laundering, by receiving project fees from contractors worth IDR. 41,553,554,006.00.

METHODS OF THE RESEARCH

This study uses normative juridical research that focuses on the analysis of written legal norms, using the statutory *approach* and the *case approach*. The source of legal materials used in this study consisted of primary legal materials which included laws and regulations and court decisions, secondary legal materials consisting of books, journals, and legal literature. The technique of collecting legal materials uses the literature study method, namely through searching and studying legal materials obtained from books, journals, legal literature, laws and regulations, and court decisions. The analysis in this study uses a qualitative analysis method, namely by interpreting the collected legal materials, using a legislative approach and a case approach.

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[4] Ahmad Fahd Budi Suryanto, "Penegakan Hukum Dalam Perkara Tindak Pidana Korupsi Suap Menyuap Dan Gratifikasi di Indonesia", *Jurnal Program Magister Fakultas Hukum Universitas Indonesia*, 1, no. 2 (2021), p. 590.

[5] Verrizkian Nandi Rahmatillah, "Perbarengan Tindak Pidana Korupsi Suap Dan Tindak Pidana Pencucian Uang (Studi Putusan Pengadilan Negeri Banjarmasin No.6/Pid.sus-TPK/2022/PN Bjm)", *Lex Positivis*, 2 (2024), p. 896.

[6] Handiansyah Banu Condro, Tinjauan Yuridis Tindak Pidana Penyuapan (Studi Kasus Putusan Mahkamah Agung Nomor Putusan 237 PK/Pid.Sus/2020), Skripsi: Fakultas Hukum Muhammadiyah Magelang, 2021, p. 9.

[7] Yusuf Ahsan, Analisis Putusan Nomor: 8/Pid.Sus-TKP/2022/PN.Sby Dalam Tindak Pidana Korupsi Bupati Probolinggo Periode 2018-2023, Skripsi: Fakultas Hukum Universitas Islam Malang, 2024, p. 7.

[8] Mohammad Hadi Sujipto, "Penerapan Sanksi Tindak Pidana Yang Dilakukan Oleh Pejabat Negara Dalam Tindak Pidana Suap Ditinjau Dari Undang-Undang Tindak Pidana Korupsi (Studi Kasus Putusan Nomor 64/PID.SUS.K/2013/PN.MDN), *Jurnal Ilmu Hukum "THE JURIS"* 3, no. 2 (2019), p. 123.

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RESULTS AND DISCUSSION

A. Criminal Elements in Corruption Crimes by the Former Regent of Hulu Sungai Tengah in Decision Number: 12/PID. SUS-TPK/2023/PTBJM

Position Case

Abdul Latif is the former Regent of Hulu Sungai Tengah for the period from 2016 to 2021, who was found guilty of committing corruption crimes during his tenure from February 2016 to December 2017. At the time of committing the crime, the defendant ordered Fauzan Rihani, his confidant who worked at the Board of Directors of the Chamber of Commerce and Industry of Hulu Sungai Tengah Regency, to receive project fees from contractors worth IDR.41,553,554,006.00 and the money was used for the defendant's personal needs. The defendant put the money into several bank accounts and also spent the money such as motorcycles and cars, various kinds of assets (land and buildings), etc. From the beginning of receiving the money, the defendant never reported it to the Corruption Eradication Commission within 30 days of receiving it, so the money was seen as bribery because it correlated with the defendant's position as a head of local government.

Indictment of the Public Prosecutor

In Court Decision Number: 12/PID. SUS-TPK/2023/PT BJM, the Public Prosecutor submitted the indictment cumulatively to the defendant. A cumulative indictment is the combination of several criminal acts in one indictment, which allows if the criminal acts are interrelated and can be examined in one trial process. In this case involving the former Regent of Hulu Sungai Tengah, the cumulative indictment given was that the defendant was prosecuted for corruption in the form of bribery as regulated through Article 12B jo. Article 18 of Law Number 31 of 1999 which has been revised through Law Number 20 of 2001 regarding amendments to Law Number 31 of 1999 concerning the Eradication of Corruption jo. Article 64 paragraph (1) of the Criminal Code, and Article 3 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes jo. Article 65 paragraph (1) of the Criminal Code.

Prove

In Article 184 paragraph (1) of the Criminal Code, it has been explained that evidence that is considered valid includes statements from witnesses, experts, letters, instructions, and information provided by the defendant. What is explained in Article 184 paragraph (1) of the Criminal Procedure Code has been fully fulfilled in Decision Number 12/PID. SUS-TPK/2023/PT BJM, in the stage of the investigation process, the Public Prosecutor has examined approximately 143 witnesses, but during the trial process, the number of witnesses presented was only around 73 witnesses so that the evidentiary process could run efficiently without presenting too many witnesses and 1 expert at the trial of corruption and money laundering crimes. Evidence is approximately 692 consisting of motorcycles and cars along with their papers, various kinds of documents, savings books, etc. Some of this evidence was confiscated by the state, and others were returned to the defendant or related parties.

Public Prosecutor's Demands

Prosecution is the right owned by the Public Prosecutor to prosecute the defendant after the examination process in the trial is completed in accordance with the evidence that has been provided. The charge is also explained in Article 1 point 7 of the Criminal Code which

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is an action of the public prosecutor to submit the criminal case to be decided by a district court judge who has the authority to prosecute as per the rules of the law.

In this case, the defendant was proven to have violated the provisions of Article 12B jo. Article 18 of Law Number 31 of 1999 which has been revised through Law Number 20 of 2001 regarding amendments to Law Number 31 of 1999 concerning the Eradication of Corruption jo. Article 64 paragraph (1) of the Criminal Code, and Article 3 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes jo. Article 65 paragraph (1) of the Criminal Code. On the basis of these violations, the demands submitted are imprisonment within 6 years and a fine of IDR.300,000,000.00, as well as an additional penalty in the form of an obligation to pay compensation worth IDR.41,553,554,006.00.

Proving Criminal Elements in Decision Number: 12/PID. SUS-TPK/2023/PT BJM

In Decision Number 12/PID. SUS-TPK/2023/PT BJM there are several criminal elements that have been proven in Article 12B jo. Article 18 of Law Number 31 of 1999 which has been revised through Law Number 20 of 2001 regarding amendments to Law Number 31 of 1999 concerning the Eradication of Corruption jo. Article 64 paragraph (1) of the Criminal Code: 1) The element of "civil servant"; 2) the element of "receiving gratuities"; 3) The element "Considered a bribe because it is related to a position that is contrary to his obligations"; 4) The "Actions continue" element.

In addition, there are criminal elements that have been proven in Article 3 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes. Article 65 paragraph (1) of the Criminal Code, namely: 1) The element of "Everyone"; 2) The element "That placed, transferred, diverted, spent or disguised the origin of wealth"; 3) Element "In the case of the combination of several acts that must be seen as independent acts so that they are part of the crime".

Basically, the elements in a criminal act include actions committed by humans, have an unlawful nature, these acts are regulated and receive threats in the form of criminal sanctions in the rules of the law, committed by someone who can be held legally accountable, and arise due to the element of fault from the perpetrator.[9]

Through Decision Number: 12/PID. SUS-TPK/2023/PT BJM, all of these criminal elements have been fulfilled in the cumulative indictment demanded by the public prosecutor. These elements have been carefully and appropriately considered by the panel of judges of the first instance referring to witness statements, confessions of the defendant, and evidence collected during the trial, until it was reaffirmed by the panel of judges at the appellate level.

Research Analysis

The panel of judges of the first instance in overriding the cumulative indictment of the public prosecutor has been based on the testimony of witnesses, experts, defendants, and evidence collected in the trial process which was then confirmed by the panel of judges of the high court in its appeal decision. From the evidence and goods, it can be shown that while the defendant was still serving as the Regent of Hulu Sungai Tengah, he had abused his authority to commit the crime of bribery corruption by asking for project fees from the

[9] Fitri Wahyuni, *Dasar-Dasar Hukum Pidana*, (Tangerang Selatan: Nusantara Persada Utama, 2017), p. 45.

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contractor of IDR.41,553,554,006.00 which was taken from 10% of roads, 7.5% of buildings, 5% of procurement, and the largest of 17.5% from pipelines.

The money amounting to IDR.41,553,554,006.00 was apparently not reported by the defendant to the Corruption Eradication Commission for a period of 30 days from its receipt. Instead, the defendant hid the origin of his wealth assets by placing money into several bank accounts, and also spent assets such as vehicles, buildings, and land with the money which ultimately led to the defendant being charged with the crime of money laundering by the public prosecutor. But in this case, the defendant's legal counsel stated that the verdict given by the panel of judges of the first instance had been wrong, because the defendant was not in accordance with the elements in the public prosecutor's cumulative indictment.

The author assesses that the panel of judges will certainly not act arbitrarily in giving the verdict and will certainly carry out its duties in accordance with the judge's code of ethics. Before making the decision, the panel of judges had of course considered whether the criminal elements in the cumulative indictment demanded by the public prosecutor had been proven based on the tools and evidence presented at the hearing. After considering these aspects, of course, the panel of judges will give a fair verdict as the defendant's deeds.

If viewed based on the theory of legal certainty, there is no wrong verdict in this case, because in legal certainty every act of violation of criminal law must be strictly regulated through legislation (*nulum crimen sine lege*). Such an act can be considered a criminal act if it is in accordance with the elements listed in the applicable legal rules. Gustav Radbruch stated that the law must be based on a fact, which means that the law is designed by relying on facts, which must be clearly detailed, in order to avoid error. This decision has shown that criminal law is presented in writing, clearly, and logically so as not to create legal uncertainty in the future.

B. Criminal Imposition in Corruption Crimes by the Former Regent of Hulu Sungai Tengah in Decision Number: 12/PID. SUS-TPK/2023/PT BJM

Criminal Imposed

Criminal imposition is the implementation of the duties of judges as law enforcement officers by taking care of and also giving verdicts for a case that is demanded and of course inseparable from the results of evidence that can determine that an event has been proven in addition to the existence of evidence based on the law.[10] Through Decision Number 12/PID. SUS-TPK/2023/PT BJM, the panel of judges granted the appeal from the Corruption Eradication Commission Public Prosecutor and the defendant's legal counsel. Furthermore, the panel of judges also determined to strengthen the Corruption Court Decision at the Banjarmasin District Court Number 5/Pid.Sus-TPK/2023/PN BJM, with details of the criminal imposition, including: 1) The defendant Abdul Latif was legally and convincingly declared guilty of committing the crime of corruption and money laundering at the same time; 2) The panel of judges decided that the defendant should be sentenced to imprisonment within 6 years, and fined IDR 300,000,000.00 through a stipulation that if the fine is not paid, it will be replaced by imprisonment within 6 months; 3) The defendant was also sentenced to an additional penalty in the form of an obligation to pay compensation

[10] A. Rahman Sutrisno, et. al, "Consideration of the Judge's Decision Against Perpetrators of Criminal Acts Without the Right to Bring and Control Firearms and Ammunition (Study Decision Number: 102/Pid.Sus/2022/PN. Met)", *Journal of Islamic Law & Law* 10, no. 1 (2023), p. 145.

worth IDR.30,939,266,066.00. If the required compensation is not paid within the decided period of time and has permanent legal force, the prosecutor has the authority to carry out the confiscation and auction of the defendant's assets to cover the amount. If the wealth is not enough, the defendant will later serve an additional prison sentence in 6 years; 4) Determine some evidence consisting of motorcycles and cars and their papers, various kinds of documents, passbooks, etc.

In addition to upholding the decision of the panel of judges of the Banjarmasin District Court through case Number 5/Pid.Sus-TPK/2020/PN Bjm, the panel of judges through Decision Number: 12/PID. SUS-TPK/2023/PT BJM also decided that the defendant should continue to be in custody, and stipulated that all detention times that have been served by the defendant will be taken into account and deducted from the total criminal sentence decided.

Pertimbangan Hakim dalam Menjatuhkan Pidana pada Putusan Nomor 12/PID.SUS-TPK/2023/PT BJM

The judge's consideration is one of the important aspects in determining the quality of a decision that reflects justice (*ex aequo et bono*) and legal certainty, with the aim of providing benefits to all entities involved. That is why, the judge's consideration must be prepared with precision and prudence. If the consideration is not carried out carefully, then the decision based on it is at risk of being thwarted by the High Court or the Supreme Court.[11] In Decision Number 12/PID. SUS-TPK/2023/PT BJM before upholding Decision Number 5/Pid.Sus-TPK/2020/PN Bjm, the judge had thoroughly reviewed the content of the decision, and the judge was of the opinion that the cumulative indictment demanded by the public prosecutor was appropriate as valid evidence in the provisions of Article 184 paragraph (1) of the Criminal Code.

The evidence and evidence at the trial have proven that the defendant while still serving as the Regent of Hulu Sungai Tengah in the period 2016 to 2021 had committed a criminal act by abusing his authority in his position by asking for a project fee of IDR.41,553,554,006.00 which was taken from 10% of roads, 7.5% of buildings, 5% of procurement, and the largest of 17.5% of pipelines. by instructing Fauzan Rifani to collect the money and reduce it for urgent funds of IDR.10,614,288,00.00. So, which was used for the defendant's personal interests in the amount of IDR.30,939,266,006.00, the money was used by depositing into the Bank of South Kalimantan account Number: 002.03.01.21372.9 in the name of Indonesian Chamber of Commerce and Industry CARE proposed by the defendant, given in cash by Fauzan Rifani to the defendant, and also given from the account of PT. Sugriwa Agung at the request of the defendant.

The defendant's legal counsel in the appeal memorandum stated that *the judex factie* of the first level of legal considerations and the verdict *a quo* had errors in the application of the applicable law and was proven to have ignored the truth found in the courtroom. The panel of judges of the high court agreed with the verdict given by the panel of judges of the first instance who had considered each criminal element contained in the cumulative indictment of the public prosecutor.

The panel of judges of the high court also considered that a number of objections filed by the defendant's legal counsel were only repeated from the pleidoi as read out in the trial at

[11] Andi Hakim Lubis & Mhd. Hasbi, "Pertimbangan Hukum Hakim Dalam Menetapkan Suatu Putusan di Persidangan Perkara Pidana", *Madani: Jurnal Ilmiah Multidisipine* 1, no. 12 (2024), p. 357.

the Banjarmasin District Court of Corruption and had been weighed appropriately and appropriately by the panel of judges through Decision Number 5/Pid.Sus-TPK/2020/PN Bjm, and had been appropriate as the legal rules.

Referring to the description of the considerations above by the panel of judges of the high court in Decision Number 12/PID. SUS-TPK/2023/PT BJM will defend and strengthen Decision Number 5/Pid.Sus-TPK/2020/PN Bjm, and there is no relatively convincing argument to release the defendant from custody so that the defendant must remain in custody and how long the defendant will be in that place will be reduced from the sentence that has been determined. Because the defendant has been proven guilty, therefore the defendant must pay the costs of the case at the two levels of justice.

Research Analysis

Criminal imposition is the provision of sanctions to a person who has been proven guilty based on the evidence available at the trial. In sentencing the defendant, the panel of judges must first consider various factors, both juridical and non-juridical in nature, which can be a reason for baldness and leniency for the defendant in the final verdict. When viewed using the theory of legal certainty, the criminal sentence decided by the panel of judges is appropriate as the content of the public prosecutor's cumulative indictment.

According to Gustav Radbruch, the law must be based on a fact which means that the law is based on reality, and the fact must be clearly detailed to avoid mistakes. Legal certainty must be carried out in accordance with existing legal rules, so that all people will know what is allowed and not allowed because it all has legal consequences and in Article 28D paragraph (1) of the Constitution of the Republic of Indonesia Year 1945 which states, every citizen has the right to recognition, guarantees, protection, and fair legal certainty, and have the right to be treated equally before the law.

In Decision Number: 12/PID. SUS-TPK/2023/PT BJM, the panel of judges has applied the principle of legal certainty in the consideration and judgment handed down, by referring to the articles charged by the public prosecutor. This statement is relevant to the provisions of Article 1 paragraph (1) of the Criminal Code, which states, a person cannot be punished unless referring to the provisions of valid laws and regulations, It means that the judge does not have the authority to impose a criminal sentence if the act is not strictly stipulated in the applicable legal regulations. In this decision, the author considers that although the panel of judges has decided that the sentencing of the criminal sentence has sufficient elements in the articles of the cumulative indictment, but imposing a substitute sentence of only IDR.30,939,266,066.00 is not appropriate, because the money received by the defendant from the project fee is still IDR. 41,553,554,006.00, and the replacement money imposed on the defendant should be in accordance with the nominal received at the beginning.

The crimes of corruption and money laundering committed by the defendants clearly have a major impact on financial losses and the country's economy, hinder the course of national development, and have the potential to cause crises in various sectors. Corruption has a bad effect on the life of the nation and state, because dishonesty has been committed and can cause injustice within the scope of society. Corruption committed by abusing authority can result in a decrease in the quality of services provided to the community.[12]

[12] Bayu Prasetyo & Roesman Hadi Jaya, "Pertanggungjawaban Hukum Tindak Pidana Korupsi Oleh Pejabat Tata Usaha Negara", *Jurnal Hukum Pidana & Kriminologi* 5, no. 1 (2024), p. 31.

Therefore, according to the author, the criminal sentence imposed by the panel of judges on the defendant is not appropriate because the substitute money requested is only money used for the defendant's personal interests, namely IDR.30,939,266,066.00, not the whole with a nominal amount of IDR.41,553,554,006.00. The prison sentence imposed can also be said to be relatively light for criminal cases committed by the defendant with such a large nominal, especially considering the position of the defendant who was still part of the civil servant at that time and the prison sentence imposed on the defendant should be more than what has been decided by the panel of judges, in its legal considerations, the panel of judges has first matched the criminal elements in Article 12B jo. Article 18 of Law Number 31 of 1999 which has been revised through Law Number 20 of 2001 regarding amendments to Law Number 31 of 1999 concerning the Eradication of Corruption jo. Article 64 paragraph (1) of the Criminal Code, and Article 3 of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes jo. Article 65 paragraph (1) of the Criminal Code with evidence from the testimony of witnesses, experts, defendants, to evidence collected during the trial process.

Supposedly, when considering the imposition of a criminal sentence on the defendant, there were aspects that could aggravate and mitigate his crime, but in the decision the panel of judges did not explain the legal considerations to mitigate the defendant's crime even though the defendant was a regional official at that time. Instead, this was made to aggravate the defendant's criminal sentence because the defendant should have set a good example for the community instead of abusing his authority to act criminally in corruption and money laundering.

CONCLUSION

All criminal elements in the case of corruption and money laundering by the former Regent of Hulu Sungai Tengah in Decision Number: 12/PID. SUS-TPK/2023/PT BJM has been proven in its entirety. The criminal elements in the cumulative indictment have been carefully and thoroughly analyzed by the panel of judges based on the testimony of witnesses, experts, defendants, and evidence collected during the trial. The imposition of the penalty in this verdict is appropriate as the articles imposed on the defendant, the defendant is sentenced to the principal penalty of imprisonment and payment of fines, as well as the payment of compensation in accordance with the amount of bribes received by the defendant. But the prison sentence given to the defendant should be more than what the panel of judges has decided, and the payment of compensation should also be in accordance with the overall nominal amount received by the defendant, not just what is used to fulfill the interests of the defendant himself.

REFERENCES

A. Rahman Sutrisno, et. al, "Consideration of the Judge's Decision Against Perpetrators of Criminal Acts Without the Right to Bring and Control Firearms and Ammunition (Study Decision Number: 102/Pid.Sus/2022/PN. Met)", *Journal of Islamic Law & Law* 10, no. 1 (2023).

Ahmad Fahd Budi Suryanto, "Penegakan Hukum Dalam Perkara Tindak Pidana Korupsi Suap Menyuap Dan Gratifikasi di Indonesia", *Jurnal Program Magister Fakultas Hukum Universitas Indonesia*, 1, no. 2 (2021).

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Bambang Waluyo, *Pemberantasan Tindak Pidana Korupsi* (*Strategi Dan Optimalisasi*), Jakarta: Sinar Grafika, 2016.

Bayu Prasetyo & Roesman Hadi Jaya, "Pertanggungjawaban Hukum Tindak Pidana Korupsi Oleh Pejabat Tata Usaha Negara", *Jurnal Hukum Pidana & Kriminologi* 5, no. 1 (2024).

Diwa Putra Fachri Hamzah, "Efektifitas Undang-Undang Pemeberantasan Tindak Pidana Korupsi Terhadap Tindak Pidana Suap Menyuap Oleh Pejabat Negara", *Maleo Law Journal* 8 (2024).

Faisal Santiago, "Penegakan Hukum Tindak Pidana Korupsi oleh Penegak Hukum untuk Terciptanya Ketertiban Hukum", *Pagaruyuang Law Journal* 1, no. 1 (2017).

Fitri Wahyuni, *Dasar-Dasar Hukum Pidana*, Tangerang Selatan: Nusantara Persada Utama, 2017.

Handiansyah Banu Condro, Tinjauan Yuridis Tindak Pidana Penyuapan (Studi Kasus Putusan Mahkamah Agung Nomor Putusan 237 PK/Pid.Sus/2020), Skripsi: Fakultas Hukum Muhammadiyah Magelang, 2021.

Mohammad Hadi Sujipto, "Penerapan Sanksi Tindak Pidana Yang Dilakukan Oleh Pejabat Negara Dalam Tindak Pidana Suap Ditinjau Dari Undang-Undang Tindak Pidana Korupsi (Studi Kasus Putusan Nomor 64/PID.SUS.K/2013/PN.MDN), *Jurnal Ilmu Hukum "THE JURIS"* 3, no. 2 (2019).

Verrizkian Nandi Rahmatillah, "Perbarengan Tindak Pidana Korupsi Suap Dan Tindak Pidana Pencucian Uang (Studi Putusan Pengadilan Negeri Banjarmasin No.6/Pid.sus-TPK/2022/PN Bjm)", *Lex Positivis*, 2 (2024).

Yusuf Ahsan, Analisis Putusan Nomor: 8/Pid.Sus-TKP/2022/PN.Sby Dalam Tindak Pidana Korupsi Bupati Probolinggo Periode 2018-2023, Skripsi: Fakultas Hukum Universitas Islam Malang, 2024.

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