

ABSTRACT

**JURIDICAL ANALYSIS OF THE CRIMINAL LIABILITY OF
PERPETRATORS OF CRIMINAL ACTS (FISHERIES
STUDIES AWARD NUMBER: 237/PID.SUS/2013/PN.TK)**

**BY
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Crime cases of fisheries on behalf of defendant MISNI BIN SAMIRAN was decided in State Court Cape Coral with a criminal verdict number: 237/PID.SUS/2013/PN.TK. the Tribunal judges who examine and adjudicate the matter has Avenged you on 1 (one) years imprisonment, and a fine of Rp 700,000 (seven hundred thousand rupiah) restoring as well as 1 (one) unit of wooden boat brands km. Indosiar-engined Mitsubishi brown color 7 (seven) grostone. The verdict is lighter than the demands of the public prosecutor. The problem being discussed is a Juridical Analysis of Criminal Liability Of perpetrators of criminal acts Fisheries and basic consideration in dropping a verdict of criminal offence fisheries.

Approach to a problem that is used in this thesis the juridical normative approach and empirical juridical approach intended to obtain answers as well as a clear picture of the problems in this thesis. The collection of data used in this research is the primary data and secondary data with sampling method for sampling purpose. The population in this peneltian is 1 (one) person Investigator Pol Water Polda Lampung, 1 (one) person Judge District Court of Cape Coral, one (1) of the public prosecutor at the Prosecutor of Lampung and one (1) person criminal law Professor Faculty of law University of Lampung.

Based on the research results and discussion: the first Criminal offender accountability for criminal acts of fisheries has proved to infringe Article 81 Act No. 45 of 2009 jo article 55, paragraph (1) of the CRIMINAL CODE then the Tribunal judges imposed imprisonment for 1 (one) years in prison and a fine of Rp 700,000 (seven hundred thousand rupiah) against the perpetrator of a criminal act the fisheries. The Judge's verdict is yet to meet the sense of Justice because it is still too light of demands that administered by the public prosecutor.

Second, the basic consideration of the judges viewed of: (1) the background and motivation of the crime committed and the motives of the crime committed (2) criminal Influence being dropped against perpetrators was enough deterrent abusers make. (3) the attitude of the offender after committing a criminal offence,

and (4). The perpetrator be nice during the trial lasts. In addition, the consideration of judges based on 3 things, namely: (a) Juridical aspects (legal certainty), (b) sociological aspects (the benefit), (c) Philosophical aspects (Justice).

It is recommended to the perpetrators of the criminal act of fisheries in order not to repeat again the crime of fisheries, any verdict of the judges should deliver the basics of consideration of the matter that is being checked. This is an integral part of a decision in accordance with article 14, paragraph (2) of Act No. 37 of 2009 about the powers of the Judiciary.

Keywords: the award of a felony fishery against the perpetrators of a felony fishery an. The defendant Misni son of Samiran