

ABSTRAK

ANALISIS PUTUSAN HAKIM TERHADAP PELAKU TINDAK PIDANA PENGEDARAN NARKOTIKA YANG DILAKUKAN BURUH (Studi Putusan Nomor : 140/PID.SUS/2024/PN Kla)

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Peredaran narkotika merupakan salah satu ancaman terbesar terhadap keamanan dan stabilitas sosial di Indonesia. Pemerintah Indonesia melalui Undang-Undang Nomor 35 Tahun 2009 tentang Narkotika telah menetapkan kebijakan keras dalam menangani kasus-kasus narkotika, termasuk terhadap pengedar narkotika yang sering kali menjadi bagian dari jaringan kriminal yang lebih besar. Pada Putusan Pengadilan Negeri Kalianda dengan nomor 140/Pid.Sus/2024/PN Kla melibatkan terdakwa Hendra Winata alias Endut, yang didakwa melakukan tindak pidana terkait narkotika. Berdasarkan dakwaan, Hendra Winata terlibat dalam peredaran narkotika golongan I jenis sabu-sabu dengan berat lebih dari 5 gram, yang merupakan pelanggaran berat dalam hukum pidana Indonesia, khususnya sesuai dengan Undang-Undang Nomor 35 Tahun 2009 tentang Narkotika. Permasalahan dalam penelitian ini adalah bagaimanakah dasar pertimbangan hakim menjatuhkan putusan terhadap pelaku tindak pidana peredaran narkotika yang dilakukan buruh serta apakah putusan hakim terhadap pelaku tindak pidana peredaran narkotika telah memenuhi nilai keadilan. Isu hukum yang muncul dari putusan Hendra Winata alias Endut Bin Romdanah terkait dengan beberapa aspek hukum pidana, terutama dalam putusan hakim yang menjatuhkan pidana lebih tinggi daripada tuntutan jaksa.

Metode penelitian menggunakan pendekatan yuridis normatif dan yuridis empiris dengan analisis data kualitatif. Data dikumpulkan melalui studi dokumen, termasuk salinan putusan dan literatur hukum terkait. Penelitian juga memperhatikan aspek yuridis dan non-yuridis yang memengaruhi pertimbangan hakim, seperti kondisi sosial terdakwa sebagai buruh dan dampak sosial dari perbuatannya.

Berdasarkan hasil penelitian dan pembahasan menunjukkan bahwa hakim mempertimbangkan faktor yuridis seperti pasal-pasal yang dilanggar dan barang bukti, serta faktor non-yuridis, seperti kondisi ekonomi terdakwa. Putusan yang dijatuhkan berupa pidana penjara selama 10 tahun dan denda Rp 1 miliar mencerminkan upaya untuk mencapai keseimbangan antara penegakan hukum dan keadilan. Putusan hakim dalam perkara tindak pidana narkotika yang melibatkan Hendra Winata alias Endut dinilai telah memenuhi unsur Pasal 114 Ayat (2) Undang-Undang Nomor 35 Tahun 2009 tentang Narkotika dan nilai keadilan.

Nada Nadila Adella Narra

Berdasarkan keterangan saksi, pengakuan terdakwa, dan barang bukti berupa sabu seberat lebih dari 43 gram, terdakwa dinyatakan secara sah dan meyakinkan bersalah sebagai pengedar narkoba. Hukuman 10 tahun penjara dan denda Rp 1 miliar, dengan subsidi 6 bulan penjara, mencerminkan penerapan hukum yang tegas untuk memberi efek jera, sekaligus mempertimbangkan faktor meringankan, seperti sikap kooperatif terdakwa dan catatan bahwa terdakwa belum pernah dihukum sebelumnya.

Saran dalam penelitian ini diharapkan Penegak hukum dapat meningkatkan profesionalitas dan sinergi antarinstansi, termasuk pengembangan metode investigasi canggih untuk mengungkap jaringan narkoba, terutama yang melibatkan kelompok rentan seperti buruh. Sementara itu, masyarakat perlu meningkatkan kesadaran akan bahaya narkoba melalui edukasi, kampanye anti-narkoba, dan pelaporan aktivitas mencurigakan. Kolaborasi aktif antara masyarakat dan penegak hukum diharapkan dapat menangani peredaran narkoba secara lebih efektif.

Kata Kunci : Analisis, Putusan Hakim, Pengedaran Narkoba, Buruh

ABSTRACT

ANALYSIS OF THE JUDGE'S DECISION AGAINST THE PERPETRATORS OF NARCOTICS TRAFFICKING CRIMES COMMITTED BY WORKERS

(Study Decision Number: 140/PID. SUS/2024/PN Kla)

By

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Narcotics trafficking is one of the biggest threats to social security and stability in Indonesia. The Indonesian government through Law Number 35 of 2009 on Narcotics has established a tough policy in handling narcotics cases, including against narcotics dealers who are often part of larger criminal networks. The Kalianda District Court Decision number 140/Pid.Sus/2024/PN Kla involved the defendant Hendra Winata alias Endut, who was charged with committing narcotics-related crimes. Based on the indictment, Hendra Winata was involved in the circulation of class I narcotics of the type of methamphetamine weighing more than 5 grams, which is a serious violation in Indonesian criminal law, especially in accordance with Law Number 35 of 2009 concerning Narcotics. The problem in this study is how the basis for the judge's consideration of issuing a verdict against the perpetrators of narcotics trafficking crimes committed by workers and whether the judge's verdict against the perpetrators of narcotics trafficking crimes has met the value of justice. The legal issues that arise from the decision of Hendra Winata alias Endut Bin Romdanah are related to several aspects of criminal law, especially in the judge's decision that imposes a higher sentence than the prosecutor's demand.

The research method uses a normative juridical and empirical juridical approach with qualitative data analysis. Data is collected through the study of documents, including copies of judgments and related legal literature. The research also pays attention to juridical and non-juridical aspects that affect the judge's consideration, such as the defendant's social condition as a worker and the social impact of his actions.

Based on the results of research and discussion, it shows that the judge considers juridical factors such as the articles violated and evidence, as well as non-juridical factors, such as the economic condition of the defendant. The verdict handed down

Nada Nadila Adella Narra

in the form of a prison sentence of 10 years and a fine of Rp 1 billion reflects an effort to achieve a balance between law enforcement and substantive justice. The judge's verdict in the narcotics crime case involving Hendra Winata alias Endut is considered to have fulfilled the elements of Article 114 Paragraph (2) of Law Number 35 of 2009 concerning Narcotics and the value of substantive justice. Based on witness statements, the defendant's confession, and evidence in the form of methamphetamine weighing more than 43 grams, the defendant was legally and convincingly declared guilty as a narcotics dealer. The sentence of 10 years in prison and a fine of Rp 1 billion, with a subsidy of 6 months in prison, reflects the strict application of the law to provide a deterrent effect, while considering mitigating factors, such as the defendant's cooperative attitude and the record that the defendant has never been convicted before.

The suggestions in this study are expected to improve professionalism and synergy between agencies, including the development of sophisticated investigation methods to uncover narcotics networks, especially those involving vulnerable groups such as workers. Meanwhile, the public needs to raise awareness of the dangers of narcotics through education, anti-drug campaigns, and reporting suspicious activities. Active collaboration between the community and law enforcement is expected to deal with narcotics trafficking more effectively.

Keywords: Analysis, Judge's Decision, Narcotics Trafficking, Labor