PUTUSAN LEPAS DALAM TINDAK PIDANA KORUPSI NANA SURYANA

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ABSTRAK

Hakim dalam mengadili suatu perkara, terlebih yang menganut pandangan *progresivisme* dan responsifitas hukum, akan berani membuat semacam antitesa terhadap bunyi dan keberlakuan aturan dalam undang-undang. Disamping itu dalam putusan pengadilan hakim dalam memutus Terdakwa ada 3 jenis putusan yaitu salah satunya putusan lepas. Penelitian ini menggunakan metode pendekatan yuridis normatif yaitu dengan cara menelaah bahan pustaka (data sekunder) yang ada. Metode penelitian yang digunakan dalam penelitian ini menggunakan metode analisis kualitatif yaitu mengolah dan menafsirkan berdasarkan pada putusan perundang-undangan yang berkaitan dengan penelitian. Penelitian ini dilakukan berdasarkan Putusan Nomor : 24/Pid.Sus-TPK/2020/PN. Jmb. Berdasarkan hasil penelitian dan pembahasan dalam penelitian ini dapat diketahui bahwa perbuatan terdakwa sudah memenuhi unsur delik tindak pidana korupsi yaitu merugikan keuangan negara. Sehingga hakim disini dalam memutus perkara Terdakwa Nana Suryana kurang tepat dikarenakan tindakan terdakwa sudah memenuhi unsur tindak pidana korupsi. Hakimpun berpendapat agar Terdakwa Nana Suryana dilepaskan dari dakwaan primair dan subsidair.

Kata Kunci: Tindak Pidana Korupsi, Putusan Lepas

REMOVAL DECISION IN THE CRIME OF CORRUPTION NANA SURYANA

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ABSTRACT

Judges in adjudicating a case, especially those who adhere to the progressivism view and legal responsiveness, will dare to make a kind of antithesis to the sound and enforceability of the rules in the law. Besides that, there are 3 types of verdicts when the judge decides on the defendant, one of which is a acquittal. This research uses a normative juridical approach by examining existing library materials (secondary data). The research method used in this study uses a qualitative analysis method by processing and interpreting based on statutory decisions related to research. This research was conducted based on Decision Number: 24/Pid.Sus-TPK/2020/PN. Jmb. Based on the results of the research and discussion in this study, it can be seen that the defendant's actions have fulfilled the elements of a corruption crime offense, which is detrimental to state finances. So that the judge here in deciding the case of the Defendant Nana Suryana is not right because the defendant's actions have fulfilled the elements of a criminal act of corruption. The judge was of the opinion that Defendant Nana Suryana should be released from the primary and subsidiary indictments.

Keywords: Cor*ruption, Removal Decision*