

ABSTRAK

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Tinjauan Yuridis Terhadap Tindak Pidana Perjudian Toto Gelap (Togel) (Studi Putusan Pn Kabanjahe No.309/ PID\B/2017/PN KBJ)". Fakultas Sosial dan Hukum Universitas Quality Berastagi.

Penelitian ini bertujuan untuk mengetahui ketentuan hukum terhadap pelaku tindak pidana perjudian jenis togel dalam KUHP, untuk mengetahui duduk perkara pada putusan terhadap tindak pidana perjudian toto gelap (togel) (Studi Putusan PN Kabanjahe No.309/Pi d.B/2017/PN Kbj) dan untuk mengetahui penerapan hukum pidana terhadap tindak pidana perjudian toto gelap (togel) (Studi Putusan PN Kabanjahe No.309/Pi d.B/2017/PN Kbj). Jenis penelitian yang digunakan dalam penelitian ini menggunakan pendekatan Yuridis Normatif dan pendekatan Yuridis Empiris. Penelitian ini dilaksanakan pada Kantor Pengadilan Negeri Kabanjahe. Hasil yang dicapai dalam penelitian ini menunjukkan bahwa, ketentuan hukum terhadap pelaku tindak pidana perjudian jenis togel dalam KUHP pasal 303 ayat 3. Duduk perkara pada putusan terhadap pelaku tindak pidana perjudian toto gelap (togel) (Studi Putusan PN Kabanjahe No.309/Pi d.B/2017/PN Kbj) bahwa perbuatan terdakwa terbukti secara sah dan meyakinkan memenuhi rumusan tindak pidana perjudian sebagaimana dakwaan subsidaritas yakni Pasal 303 ayat 1 ke-2 KUHP dan pertimbangan hukum hakim dalam menjatuhkan pidana terhadap pelaku tindak pidana perjudian toto gelap (togel) (Studi Putusan PN Kabanjahe No.309/Pi d.B/2017/PN Kbj) didasarkan pada fakta-fakta hukum baik melalui keterangan-keterangan saksi, keterangan terdakwa, maupun barang bukti. Selain itu juga disarkan pada pertimbangan yuridis, hal yang meringankan dan hal-hal yang memberatkan terdakwa, serta memerhatikan undang-undang yang berkaitan yang diperkuat dengan keyakinan hakim.

Kata Kunci : Tinjauan Yuridis, Tindak Pidana, Perjudian Toto Gelap (Togel)

ABSTRACT

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Juridical Review of the Crime of Toto Illegal Gambling (Togel) (Study of Decision of Pn Kabanjahe No.309/PID\B/2017/PN KBJ)". Faculty of Social and Law, Quality Berastagi University.

This study aims to determine the legal provisions against the perpetrators of the crime of gambling in the type of lottery in the Criminal Code, to find out the problem with the decision on the crime of gambling toto dark (togel) (Study of Decision of the District Court of Kabanjahe No. 309/Pi dB/2017/PN Kbj) and to find out the application of criminal law to the crime of illegal toto gambling (togel) (Study of District Court Decision No. 309/Pi dB/2017/PN Kbj). The type of research used in this study uses a normative juridical approach and an empirical juridical approach. This research was conducted at the Kabanjahe District Court Office. The results achieved in this study indicate that, the legal provisions against the perpetrators of the crime of gambling of the type of lottery in the Criminal Code article 303 paragraph 3. There is a case in the decision against the perpetrators of the crime of illegal toto gambling (togel) (Study of the Decision of the Kabanjahe District Court No. 309/Pi dB /2017/PN Kbj) that the defendant's actions were legally and convincingly proven to fulfill the formulation of a gambling crime as a subsidiary indictment, namely Article 303 paragraph 1 2 of the Criminal Code and the judge's legal considerations in imposing a crime against the perpetrators of the crime of illegal toto gambling (togel). The decision of the Kabanjahe District Court No. 309/Pi dB/2017/PN Kbj) is based on legal facts, both through witness statements, defendants' statements, and evidence. In addition, it is also advised on juridical considerations, mitigating and aggravating matters for the defendant, as well as paying attention to related laws which are strengthened by the judge's conviction.

Keywords: Juridical Review, Crime, Illicit Toto Gambling (Togel)