

ABSTRAK

PERTANGGUNGJAWABAN PIDANA PELAKU TINDAK PIDANA PENCURIAN BAHAN BAKAR MINYAK BERSUBSIDI DALAM PROSES PENGANGKUTAN (Studi Kasus Putusan Pengadilan Negeri Sigli Nomor 222/Pid.Sus/2021/PN.Sg)

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Tindak pidana pencurian sampai saat ini masih dilematis dan menjadi masalah yang cukup serius serta memerlukan pemecahan. Rumusan masalah dalam tesis ini adalah bagaimana pengaturan hukum tindak pidana pencurian bahan bakar minyak bersubsidi dalam proses pengangkutan, bagaimana pertanggungjawaban pidana terhadap tindak pidana pencurian bahan bakar minyak bersubsidi dalam proses pengangkutan menurut Nomor 222/Pid.Sus/2021/PN Sg, bagaimana pertimbangan hukum hakim dalam tindak pidana pencurian bahan bakar minyak bersubsidi dalam proses pengangkutan menurut Nomor 222/Pid.Sus/2021/PN Sg

.Penulisan tesis ini menggunakan metode telaah pustaka (*library research*) untuk mentelaah data-data sekunder dengan melakukan analisis kasus putusan Pengadilan Negeri Sigli Nomor 222/Pid.Sus/2021/PN Sg. Jenis data penelitian ini adalah data sekunder. Bahan hukum primer dan sekunder disusun secara sistematis dan dianalisis secara kualitatif.

Pengaturan hukum pidana terhadap tindak pidana pencurian bahan bakar minyak bersubsidi dalam proses pengangkutan dalam perkara Putusan Pengadilan Negeri Sigli Nomor 222/Pid.Sus/2021/PN Sgi diatur dalam Pasal 55 Undang-undang Nomor 22 tahun 2001 tentang Minyak dan Gas Bumi sebagaimana telah diubah Dalam Pasal 40 Angka 9 Undang-undang Nomor 11 tahun 2020 tentang Cipta Kerja jo Pasal 55 ayat (1) ke-1 KUHPidana. Pertanggungjawaban pelaku tindak pidana pencurian bahan bakar minyak bersubsidi dalam proses pengangkutan adalah terpenuhinya semua unsur-unsur sesuai dengan pasal yang dikenakan para terdakwa.

Kesimpulan dari pembahasan adalah pertimbangan hakim dalam menjatuhkan putusan terhadap kasus tindak pidana pencurian bahan bakar minyak bersubsidi dalam proses pengangkutan dalam putusan Pengadilan Negeri Sigli Nomor 222/Pid.Sus/2021/PN Sgi tidak ada alasan membenarkan dan pemaaf, sehingga dinyatakan bersalah, serta hal-hal yang memberatkan dan meringankan. Hal yang meringankan terdakwa belum pernah dihukum sedangkan hal yang memberatkan adalah perbuatan terdakwa merugikan konsumen BBM Bersubsidi.

Kata Kunci : Pertanggungjawaban Pidana, Minyak, Subsidi.

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ABSTRACT

**CRIMINAL ACCOUNTABILITY FOR THE THEFT OF SUBSIDIZED
FUEL OIL IN THE TRANSPORT PROCESS
(Case Study of Sigli District Court Decision Number
222/Pid.Sus/2021/PN.Sg)**

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The criminal act of theft is still in a dilemma and is a problem that is quite serious and requires a solution. The formulation of the problem in this thesis is how the law regulates the crime of theft of subsidized fuel oil in the transportation process, what is the criminal responsibility for the crime of theft of subsidized fuel oil in the transportation process according to Number 222/Pid.Sus/2021/PN Sg, what are the legal considerations judge in the crime of stealing subsidized fuel oil during the transportation process according to Number 222/Pid.Sus/2021/PN Sg.

The writing of this thesis uses the library research method to examine secondary data by analyzing the Sigli District Court decision case number 222/Pid.Sus/2021/PN Sg. This type of research data is secondary data. Primary and secondary legal materials are systematically compiled and analyzed qualitatively.

Criminal law arrangements for the crime of theft of subsidized fuel oil in the transportation process in the case of the Sigli District Court Decision Number 222/Pid.Sus/2021/PN Sgi are regulated in Article 55 of Law Number 22 of 2001 concerning Oil and Natural Gas as amended In Article 40 Number 9 of Law Number 11 of 2020 concerning Job Creation in conjunction with Article 55 paragraph (1) 1st of the Criminal Code. The responsibility of the perpetrators of the crime of theft of subsidized fuel oil in the transportation process is the fulfillment of all the elements in accordance with the article imposed by the defendants.

The conclusion from the discussion is that the judge's considerations in passing a decision on the criminal case of theft of subsidized fuel oil in the transportation process in the decision of the Sigli District Court Number 222/Pid.Sus/2021/PN Sgi have no justification and forgiveness, so that they were found guilty, as well as matters aggravating and mitigating factors. The lightening thing for the defendant has never been punished while the aggravating thing is that the defendant's actions have harmed Subsidized Fuel consumers.

Keywords: Criminal Liability, Oil, Subsidies..

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