

**PERTANGGUNGJAWABAN PIDANA TERHADAP PELAKU PERUSAKAN  
ALAT BUKTI (*OBSTRUCTION OF JUSTICE*) DALAM PROSES  
PENYIDIKAN TINDAK PIDANA KORUPSI  
(Studi Putusan Nomor 6/Pid.Sus-TPK/2024/PN. Pgp)**

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**ABSTRAK**

*Obstruction of justice*, merupakan tindakan sengaja merintangi atau menggagalkan proses penyidikan, dapat mengganggu dalam proses penegakan hukum dan menciptakan ketidakpercayaan terhadap sistem peradilan. Rumusan masalah dalam penelitian ini adalah bagaimana bentuk perbuatan perintang proses penyidikan (*obstruction of justice*) dalam tindak pidana korupsi, bagaimana pertanggungjawaban pidana terhadap pelaku perintang (*obstruction of justice* dalam tindak pidana korupsi, bagaimana pertimbangan hukum hakim dalam putusan Nomor 6/Pid.Sus-TPK/2024/PN Pgp dalam proses penyidikan tindak pidana korupsi.

Penelitian dilakukan menggunakan penelitian hukum, yaitu yuridis normatif yang bersifat deskriptif analitis, merupakan penelitian yang bertujuan menggambarkan suatu keadaan atau gejala atau untuk menentukan ada tidaknya hubungan antara suatu gejala dengan gejala lain. Teknik pengumpulan data digunakan adalah studi kepustakaan.

Hasil penelitian dan pembahasan menunjukkan bahwa bentuk pelaku merintangi penyidikan (*obstruction of justice*) dalam tindak pidana korupsi ketentuan Pasal 21 Undang-Undang No. 31 Tahun 1999 Tentang Pemberantasan Tindak Pidana Korupsi. Pertanggungjawaban pidana terhadap pelaku tindak pidana *obstruction of justice* dalam perkara tindak pidana korupsi dapat dijerat melalui Pasal 221 KUHP dan Pasal 21 Undang-Undang No. 31 Tahun 1999. Pelaku *obstruction of justice* dalam perkara tindak pidana korupsi Toni Tamsil berdasarkan Putusan Nomor 6/Pid.Sus-TPK/2024/PN Pgp telah terbukti secara sah dan meyakinkan bersalah melakukan tindak pidana dengan sengaja perintang penyidikan perkara korupsi. Akibat perbuatannya tersebut maka pelaku dipidana dengan pidana penjara selama 3 (tiga) tahun. Penulis tidak sependapat dengan putusan hakim tentang lamanya pidana terhadap Terdakwa Toni Tamsil Alias Akhi yang hanya dipidana penjara selama 3 (tiga) tahun, sebab berdasarkan fakta-fakta yang terungkap di depan persidangan dan dari analisis terhadap tindakan penghalangan akses dan pengumpulan bukti serta manipulasi proses hukum, dapat disimpulkan bahwa *osbtruction of justice* memiliki dampak yang serius terhadap proses penyidikan dalam sistem peradilan

**Kata Kunci : Pertanggungjawaban Pidana, *Osbtruction Of Justice*, Korupsi**

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**CRIMINAL LIABILITY FOR PERPETRATORS OF EVIDENCE  
DESTRUCTION (OBSTRUCTION OF JUSTICE) IN THE  
INVESTIGATION PROCESS OF CORRUPTION  
CRIMINAL ACTS  
(Study of Decision Number 6/Pid.Sus-TPK/2024/PN. Pgp)**

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**ABSTRACT**

*Obstruction of justice, an act of intentionally hindering or thwarting the investigation process, can disrupt law enforcement and create distrust in the judicial system. The research problem formulation in this study is what forms of obstruction of justice are involved in corruption crimes, what is the criminal liability for perpetrators of obstruction of justice in corruption crimes, and what are the legal considerations of the judge in Decision Number 6/Pid.Sus-TPK/2024/PN Pgp in the investigation process of corruption crimes.*

*The research was conducted using legal research, namely normative juridical research with a descriptive analytical nature. This research aims to describe a situation or phenomenon or to determine whether there is a relationship between one phenomenon and another. The data collection technique used was literature study.*

*The results of the research and discussion show that the form of the perpetrator obstructing the investigation (obstruction of justice) in the criminal act of corruption is the provisions of Article 21 of Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption. Criminal liability for the perpetrator of the crime of obstruction of justice in the case of corruption can be charged through Article 221 of the Criminal Code and Article 21 of Law No. 31 of 1999. The perpetrator of obstruction of justice in the corruption case of Toni Tamsil based on Decision Number 6 / Pid.Sus-TPk / 2024 / PN Pgp has been legally and convincingly proven guilty of committing a crime by intentionally obstructing the investigation of a corruption case. As a result of his actions, the perpetrator was sentenced to 3 (three) years in prison. The author does not agree with the judge's decision regarding the criminal sentence against the Defendant Toni Tamsil alias Akhi who was only sentenced to 3 (three) years in prison, because based on the facts revealed in court and from the analysis of the actions of obstructing access and gathering evidence and manipulation of the legal process, it can be concluded that obstruction of justice has a serious impact on the investigation process in the judicial system..*

**Keywords: Criminal Liability, Obstruction Of Justice, Corruption**

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