



## Punishment System for Narcotics Crime Perpetrators (Case Study: Drug Trafficking in Medan Marelان)

Juliandi <sup>1</sup>, Jessica Evi Margaretha <sup>2</sup>, Dina Pratiwi Tambun <sup>3</sup>, Parlaungan Gabriel Siahaan <sup>4</sup>  
Dewi Pika Lumban Batu <sup>5</sup>  
<sup>1-5</sup> Medan State University

Email : [Juliandiii29@gmail.com](mailto:Juliandiii29@gmail.com) <sup>1</sup>, [jessicamargaretha53@gmail.com](mailto:jessicamargaretha53@gmail.com) <sup>2</sup>, [dinapratwi18012019@gmail.com](mailto:dinapratwi18012019@gmail.com) <sup>3</sup>,  
[parlaungansiahaan@unimed.ac.id](mailto:parlaungansiahaan@unimed.ac.id) <sup>4</sup>, [dewafika@gmail.com](mailto:dewafika@gmail.com) <sup>5</sup>

**Receive: 17/07/2023**

**Accepted: 15/09/2023**

**Published: 01/10/2023**

### **Abstract**

*This research was conducted to find out what the criminal system is for drug trafficking and used a case study of drug trafficking in Marelان, Medan based on the judge's decision at the Medan District Court. Drug trafficking is a form of violation of the law in criminal law regulated in Law no. 35 of 2009 concerning drugs. North Sumatra is one of the largest contributors to drug trafficking in Indonesia, specifically in the city of Medan. North Sumatra is one of the largest contributors to drug trafficking in Indonesia, specifically in the city of Medan. The government, narcotics department and other law enforcers must be able to collaborate with the community to thoroughly investigate drug trafficking cases. This research uses descriptive qualitative research methods and interviews with the judge who handled this case. In this research, chronological results were found up to the judge's decision and the punishment system for drug dealers. This research focuses on drug trafficking cases and the criminal system and judge's decisions in handling drug trafficking cases.*

**Keywords:** *Conviction of Drug Dealers, DRUGS DIRECTION, North Sumatra*

Abstrak: Penelitian ini dilakukan untuk mengetahui bagaimana sistem pemidanaan terhadap tindak pidana peredaran gelap narkoba dan menggunakan studi kasus tindak pidana peredaran gelap narkoba di daerah Marelان, Medan berdasarkan putusan hakim di Pengadilan Negeri Medan. Peredaran narkoba merupakan salah satu bentuk pelanggaran hukum dalam hukum pidana yang diatur dalam UU No. 35 Tahun 2009 tentang narkoba. Sumatera Utara merupakan salah satu penyumbang peredaran narkoba terbesar di Indonesia, khususnya di kota Medan. Sumatera Utara merupakan salah satu penyumbang terbesar peredaran narkoba di Indonesia, khususnya di kota Medan. Pemerintah, badan narkoba dan penegak hukum lainnya harus dapat berkolaborasi dengan masyarakat untuk mengusut tuntas kasus-kasus peredaran narkoba. Penelitian ini menggunakan metode penelitian kualitatif deskriptif dan wawancara dengan hakim yang menangani kasus ini. . Dalam penelitian ini ditemukan hasil kronologis hingga putusan hakim dan sistem pemidanaan bagi pengedar narkoba. Penelitian ini berfokus pada kasus pengedaran narkoba dan sistem pemidanaan serta putusan hakim dalam menangani kasus pengedaran narkoba.

Kata kunci: Pemidanaan Pengedar Narkoba, Peredaran Gelap Narkotika, Sumatera Utara

## Introduction

As technology develops in society, regulations in society also increase. With the increase in these regulations, there are many expectations from the public about security which are increasingly felt by the community. Seeing the widespread use of narcotics trafficking traffic, Indonesia has become one of the countries with narcotics users at the level of attention, not only among the public, but also at government levels and even children who are still in education. The government has begun to pay attention to the use of narcotics among the community with various efforts being made to tackle it.

Narcotics themselves are addictive substances that are very dangerous for human health. The consequences of addiction to using narcotics can cause a person to be paralyzed or even numb. Most types of narcotics come from plants and non-plants. The Indonesian government must pay more attention to the circulation of narcotics. Not that either, the community must pay more attention and care more about dealing with it<sup>1</sup>. The government has made efforts such as legislation to regulate and eradicate the abuse and illicit trafficking of narcotics which is regulated in the Republic of Indonesia Law no. 35 of 2009 concerning narcotics. Considering the widespread circulation of narcotics, this cannot be handled by the government alone but must come from our collective awareness in overcoming it.

North Sumatra is one of the largest contributors to drug trafficking in Indonesia, specifically in the city of Medan. Several programs have been created to overcome this. Cooperation between the government and local residents is also carried out. In North Sumatra, a Narcotics Research Directorate (Ditresnarkoba) has been established which aims to eradicate the circulation of narcotics in North Sumatra.<sup>2</sup> This is also not merely the government's task, but it also comes back to the awareness of all elements of government

and society to overcome this problem. In this case the author examines drug trafficking in one area in North Sumatra, specifically in Marelan District. Marelan is a place where drug trafficking is quite high. The government has done various things to eradicate drugs in this region. Several pieces of evidence were also found in various different places. This means that drug trafficking occurs not just in one place but in various places in Marelan.

Therefore, it is necessary to increase efforts to investigate and eradicate drugs, in order to improve security and health among the community. Drug abuse is not only limited to addicts, but can result in health problems and can even result in death.

## Theoretical review

### Narcotics

Narcotics are substances or drugs derived from plants or non-plants, whether synthetic or semi-synthetic, which can cause a decrease or change in consciousness, loss of taste, reduce or eliminate pain, and can cause dependence (UU No. 35/2009 concerning Narcotics).<sup>3</sup>

### Narcotics Group

1. Class I Narcotics which can only be used for scientific development purposes and are not used in therapy, and have a very high potential to cause dependence. Examples: Heroin/Putaw, Marijuana, Cocaine, Opium, Amphetamine, Methamphetamine/shabu, Mdma/extacy, and so on.
2. Class II Narcotics which have medicinal properties, are used as a last resort and can be used in therapy and/or for scientific development purposes and have a high potential to cause dependence. Examples: Morphine, Pethidine, Methadone, etc.
3. Class III Narcotics which have medicinal properties and are widely used for therapy and/or scientific development purposes and have a mild potential for causing dependence. Example: Codeine, Ethyl Morphine, etc.

### Drug Case Punishment System according to Law Number 35 of 2009

In Chapter XV Article 113 paragraph (1) of the Narcotics Law contains criminal penalties for drug makers and dealers. Criminal provisions for manufacturers and dealers of class 1 drugs can be sentenced to imprisonment for a minimum of 5 years and a maximum of 15 years. The fines that must be paid by manufacturers and distributors of these illicit goods range from a minimum of 1 billion rupiah and a maximum of 10 billion rupiah. It doesn't stop there, Article 113 paragraph (2) provides more specific provisions where if drug makers and dealers are found carrying addictive substances above one kilogram or more than 5 trees (for plants) and more than 5 grams (for non-plant form) the perpetrator is threatened with the death penalty, life imprisonment, or imprisonment for 5 to 20 years.<sup>2</sup> Not only imprisonment, maximum fines for drug makers and dealers who exceed the threshold as explained above, can also be given a maximum fine as stated in Article 113 paragraph (1) but with an additional third of the penalty.

### The Role of the Police in Drug Cases

Polda or Regional Police is the implementer of the duties and authority of the National Police in the provincial area. The Regional Police are led by the Regional Police Chief who is assisted by a Deputy Regional Police Chief. In his duties, the Regional Police Chief is directly responsible to the National Police Chief. In Polri Regulation Number 14 of 2018 concerning the Organizational Structure and Work Procedures of the Regional Police, the Regional Police have<sup>3</sup> duties :

1. carry out the main duties of the National Police, namely maintaining security and public order, enforcing the law, and providing protection,

guidance and service to the community;

2. and carry out other Polri duties within the Polda's jurisdiction in accordance with the provisions of statutory regulations.

In the organizational structure of the Regional Police, there are a number of elements carrying out main tasks. These elements are tasked with serving and dealing directly with the community. The elements implementing the main tasks of the Regional Police consist of: Integrated Police Service Center ( **SPKT** ); Directorate of Security Intelligence ( *Ditintelkam* ); Directorate of General Criminal Investigation (Ditreskrim ) ; Special Criminal Investigation Directorate (Ditreskrimsus); Directorate of Narcotics Research ( *Ditresnarkoba* ); Directorate of Community Development ( *Ditbinmas* ); Samapta Directorate ( *Ditsamapta* ); Traffic Directorate ( *Ditlantas* ); Directorate of Vital Object Security ( *Ditpamobvi t*); Directorate of Water and Air Police ( *Ditpolairud* ) ; Directorate of Prisoner Care and Evidence (Dittahti); and the Mobile Brigade Unit ( *Satbrimob* ).<sup>4</sup>

In this case, the regional police tasked with handling narcotics cases is called the narcotics research directorate ( *Ditresnarkoba* ), overcoming narcotics problems does not only require cooperation from the government and the performance of law enforcement officials. At the narcotics trespass, officers carry out inquiries and investigations into criminal acts of drug abuse, including counseling on prevention and rehabilitation of drug abuse victims. In carrying out its duties, the drug control department carries out the following functions, namely:

1. Investigating and investigating criminal acts of drug abuse

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> *INDONESIAN BNN. Drugs and Their Problems* (book)

2. Guidance and counseling in the context of prevention and rehabilitation of drug abuse victims
3. Implementation of supervision of investigations into drug crimes within the Regional Police
4. Collecting and processing data as well as presenting information and documentation of drug control activities
5. Analyze drug cases and their handling, study and assess the effectiveness of the implementation of drug control duties.

1. Indictment:

**Case Chronology :**

That the defendant HERMAN PURBA, on Friday 14 July 2023 at approximately 16.30 WIT or at least at another time in July 2023 was located on the side of the Uka Jalan Abdul Sani Mutalib Complex, Terjun Village, Medan Marelan District, Medan City or at least whether or not in a place that is still under the jurisdiction of the Medan District Court, without right or against the law offering for sale, selling, buying, receiving, being an intermediary in buying and selling, exchanging or handing over Class I (one) Narcotics weighing more than 5 (five ) grams, namely the type of Metafatemala / Shabu, in the amount of 6 (six) packs of transparent plastic clips containing Narcotics Type Shabu weighing 5.06 (five point zero six) grams net, which the *defendant* carried out in the following manner:

That it started on Friday 14 July 2023 at approximately 15.00 WIB, the defendant HERMAN PURBA met BENNY (under investigation) on the side of the Tax Road, Uka Complex, Jalan Abdul Sani Mutalib, Terjun Village, Medan Marelan District, Medan City, then the defendant received 5 types of methamphetamine narcotics. (five) grams of BENNY for the defendant to sell. Then witness DEDEK S. HARAHAP, witness MARTIN J. SIHOMBING and witness WIRA H. NASUTION (all three members of the North Sumatra Regional Police Narcotics Directorate) who previously received information from informants that the defendant was selling methamphetamine on the side of the road at the Uka Complex, Jalan Abdul Sani Mutalib, Terjun Subdistrict. Medan Marelan, Medan City, then at around 16.20 WIT, witness WIRA H. NASUTION disguised himself as a buyer of methamphetamine-type

**Results and Discussion**

1. Defendant Identity:

Full name	:	PRIME HERMAN
Place of birth	:	Plunge
Age / Date of birth	:	44 Years / December 16, 1978
Gender	:	Man
Nationality	:	Indonesia
Residence	:	Ward 21 Yuka Complex, Terjun Village, Medan Marelan District, Medan City
Religion	:	Christian Protestant
Work	:	Doesn't work
Education	:	high school (graduated)

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> INDONESIAN BNN. *Drugs and Their Problems* (book)

**(Juliandi, Jessica Evi Margaretha , Dina Pratiwi Tambun , Parlaungan Gabriel Siahaan, Dewi Pika Lumban Batu)**

narcotics using a covert buying technique ( *under cover buy* ) by meeting the defendant on the side of the Jalan Uka Complex, Jalan Abdul Sani Mutalib, Terjun Village, Medan Marelan City District Medan then bought methamphetamine for Rp. 1,000,000-(one million rupiah) and when the defendant was about to hand over the shabu-type narcotics to witness WIRA H. NASUTION then witness DEDEK S. HARAHAAP, witness MARTIN J. SIHOMBING and witness WIRA H. NASUTION immediately arrested the defendant and at When the defendant was arrested, evidence was found and confiscated: 6 (six) packages of transparent plastic clips containing Shabu type narcotics with a total weight of 5.06 (five point zero six) grams net, 50 (fifty) pieces of plastic clips. empty, 1 (one) black Nokia brand cellphone with SIM number 081378888364, cash in the amount of IDR 1,000,000 (one million rupiah), 1 (one) black assoy plastic sheet and 1 (one) small wallet. Next, the defendant and the evidence were taken to the North Sumatra Police's Narcotics Research Directorate for further investigation.

1. That 6 (six) packs of transparent plastic clips containing Shabu type narcotics with a total weight of 5.06 (five point zero six) grams net the defendant obtained by receiving from BENNY and the defendant will sell at a price of Rp. 650,000-(six hundred and fifty thousand rupiah) / gram and the defendant will also sell it in small packages for Rp. 25,000-(twenty five thousand rupiah) up to Rp. 70,000-(seventy thousand rupiah) and if the methamphetamine type narcotics are sold then the defendant deposits Rp. 500,000-(five hundred thousand rupiah) / gram to BENNY and the defendant will get a profit of Rp. 125,000-(one hundred twenty five thousand rupiah) up to Rp. 150,000-(one hundred and fifty thousand rupiah)

2. That the defendant's actions in offering to sell, selling, buying, receiving, being an intermediary in buying and selling, exchanging or handing over Class I (one) Narcotics weighing more than 5 (five) grams did not require permission from the competent authorities.
3. That based on the Minutes of Weighing / Counting and Setting aside Evidence from the North Sumatra Police Narcotics Research Directorate dated July 14 2023, they have counted / weighed / set aside confiscated evidence in the form of (six) transparent plastic clip packs containing the total weight of Shabu Type Narcotics. 5.06 (five point zero six) grams net were all sent for laboratory examination to the North Sumatra Regional Police's Laboratory and Information Division which was confiscated from the defendant HERMAN PURBA.
4. That based on the Minutes of Criminalistic Laboratory Examination at the National Police's Bareskrim Laboratory Center. ST and acknowledged and signed by the Deputy Head of the North Sumatra Police Laboratory, AKBP AKBP UNGKAP SIAHAAN, S.Si, Apt concluded that the evidence in the form of 6 (six) packs of plastic clips containing white crystals with a net weight of 5.06 (five point zero six) grams was suspected containing narcotics belonging to the defendant HERMAN PURBA, concluded that the evidence contained metaphetamine and was listed in Group I (one) serial number 61 of Appendix I to Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics.

**Subsidiaries:**

That the defendant HERMAN PURBA, on Friday 14 July 2023 at approximately 16.30 WIT or at least at another time in July 2023

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> INDONESIA BNN. *Drugs and Their Problems* (book)

was located on the side of the Uka Jalan Abdul Sani Mutalib Complex, Terjun Village, Medan Marelan District, Medan City or at least whether or not in a place that is still under the jurisdiction of the Medan District Court, without rights or against the law possessing, storing, controlling or providing Class I (one) Narcotics in non-plant form weighing more than 5 (five) grams, namely 6 types of Metafatemina / Shabu. (six) packs of transparent plastic clips containing 5.06 (five point zero six) grams of shabu, which the defendant carried out in the following manner:

That starting on Friday 14 July 2023 at approximately 15.00 WIT, the defendant HERMAN PURBA met BENNY (under investigation) on the side of the Tax Road, Uka Complex, Jalan Abdul Sani Mutalib, Terjun Village, Medan Marelan District, Medan City, then the defendant received 5 types of methamphetamine narcotics ( five) grams of BENNY for the defendant to sell. Then witness DEDEK S. HARAHAAP, witness MARTIN J. SIHOMBING and witness WIRA H. NASUTION (all three members of the North Sumatra Regional Police Narcotics Directorate) who previously received information from informants that the defendant was selling methamphetamine on the side of the road at the Uka Complex, Jalan Abdul Sani Mutalib, Terjun Subdistrict. Medan Marelan, Medan City, then at around 16.20 WIT, witness WIRA H. NASUTION disguised himself as a buyer of methamphetamine-type narcotics using an under cover buy technique by meeting the defendant on the side of the Jalan Uka Complex, Jalan Abdul Sani Mutalib, Terjun Village, Medan Marelan City District Medan then bought shabu-type narcotics and when the defendant was about to hand over the shabu-type narcotics to witness WIRA H. NASUTION then witness DEDEK S. HARAHAAP, witness MARTIN J. SIHOMBING and witness WIRA H.

NASUTION immediately arrested the defendant and when the arrest was made From the defendant, evidence was found and confiscated: 6 (six) packs of transparent plastic clips containing Shabu type narcotics with a total weight of 5.06 (five point zero six) grams net, 50 (fifty) empty plastic clips, 1 (one) black Nokia brand cellphone with SIM number 081378888364, cash in the amount of IDR 1,000,000 (one million rupiah), 1 (one) black plastic assoy sheet and 1 (one) small wallet. Next, the defendant and the evidence were taken to the North Sumatra Police's Narcotics Research Directorate for further investigation.

That the defendant's actions in possessing, storing, controlling or providing Class I (one) narcotics in non-plant form weighing more than 5 (five) grams did not require permission from the competent authorities.

That based on the Minutes of Weighing / Counting and Setting aside Evidence from the North Sumatra Police Narcotics Research Directorate dated July 14 2023, they have counted / weighed / set aside confiscated evidence in the form of (six) transparent plastic clip packs containing the total weight of Shabu Type Narcotics. 5.06 (five point zero six) grams net were all sent for laboratory examination to the North Sumatra Regional Police's Laboratory and Information Division which was confiscated from the defendant HERMAN PURBA.

That based on the Minutes of Criminalistic Laboratory Examination at the National Police's Bareskrim Laboratory Center. ST and acknowledged and signed by the Deputy Head of the North Sumatra Police Laboratory, AKBP UNKAP SIAHAAN, S.Si, Apt concluded that the evidence in the form of 6 (six) packs of plastic clips containing white crystals with a net weight of 5.06 (five point zero six) grams was suspected containing narcotics belonging to

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> *INDONESIAN BNN. Drugs and Their Problems* (book)

the defendant HERMAN PURBA, concluded that the evidence contained metamphetamine and was listed in Group I (one) serial number 61 of Appendix I to Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics.

Witness

1	DEDEK S. PLEASE
2	MARTIN J. SIHOMBING

**Verdict :** Tuesday, 26 Sep. 2023

Contents of the Claim

Declaring that the defendant HERMAN PURBA was legally and convincingly proven guilty of committing the criminal act "Without rights or against the law, selling, being an intermediary in buying and selling, or handing over Class I (one) Narcotics in non-plant form weighing more than 5 (five) grams" is a violation Article 114 paragraph (2) Republic of Indonesia Law no. 35 of 2009 concerning Narcotics in Primary Indictments;

Sentenced the defendant HERMAN PURBA to a prison sentence of 8 (eight) years reduced by the time the defendant was in detention with an order that the defendant remain in detention and a fine of Rp. 1,000,000,000, (one billion rupiah) Subsidiary 6 (six) months in prison.

State evidence in the form of:

- 6 (six) packs of transparent plastic clips containing shabu type narcotics with a total weight of 5.06 (five point zero six) grams net.
- 50 (fifty) blank plastic clips.
- 1 (one) black Nokia brand cellphone with SIM number 081378888364.
- 1 (one) black plastic assembly sheet
- 1 (one) small wallet.

Seized to be destroyed.

- Cash in the amount of IDR 1,000,000 (one million rupiah)

Confiscated for the State.

- Charges the defendant to pay court costs of Rp. 5,000,- (five thousand rupiah).

### 22 September 2023: Evidence

*6 (six) transparent plastic clip packs containing methamphetamine with a total weight of 5.06 (five point zero six) grams net; 50 (fifty) blank plastic clip sheets; 1 (one) black Nokia brand cellphone with SIM number 081378888364; Cash in the amount of IDR 1,000,000 (one million) rupiah; 1 (one) black plastic assembly sheet; 1 (one) small wallet*

**Storage Place :** District Attorney's Office

### MEDAN STATE COURT RULING

**On Tuesday 10 October 2023 the Court Decision stated that:**

1. Declare that Defendant **HERMAN PURBA** has been legally and convincingly proven guilty of committing the criminal act of "unlawfully and unlawfully selling Class I non-plant narcotics in non-plant form", as in the Primair Indictment;
2. Sentence the Defendant to imprisonment for 7 (seven) years and 6 (six) months and a fine of IDR 1,000,000,000 (one billion rupiah) and if the fine is not paid, it will be replaced by imprisonment for 4 (four months);
3. Determining that the period of arrest and detention that the Defendant has served shall be deducted entirely from the sentence imposed;
4. Determining that the Defendant remains in custody;
5. Determine evidence in the form of:
  - 6 (six) packs of transparent plastic clips containing Shabu with a total weight of 5.06 (five point zero six) grams net;
  - 50 (fifty) blank plastic clip sheets;

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> INDONESIAN BNN. *Drugs and Their Problems* (book)

(Juliandi, Jessica Evi Margaretha , Dina Pratiwi Tambun , Parlaungan Gabriel Siahaan, Dewi Pika Lumban Batu)

- 1 (one) black Nokia brand cellphone with SIM number 081378888364
- 1 (one) black plastic assembly sheet
- 1 (one) small wallet.

**Seized to be destroyed.**

- Cash in the amount of IDR 1,000,000 (one million rupiah)

**Confiscated for the State;**

6. Charge the Defendant to pay court costs in the amount of Rp. 5,000.00 (five thousand rupiah)

**Conclusion**

As technology develops in society, regulations in society also increase. With the increase in these regulations, there are many expectations from the public about security which are increasingly felt by the community. North Sumatra is one of the largest contributors to drug trafficking in Indonesia, specifically in the city of Medan. North Sumatra is one of the largest contributors to drug trafficking in Indonesia, specifically in the city of Medan. Polda or Regional Police is the implementer of the duties and authority of the National Police in the provincial area. The Regional Police are led by the Regional Police Chief who is assisted by a Deputy Regional Police Chief. In his duties, the Regional Police Chief is directly responsible to the National Police Chief. In Police Regulation Number 14 of 2018 concerning the Organizational Structure and Work Procedures of the Regional Police. In this case, one of the case studies that we can look at is HERMAN PURBA, on Friday 14 July 2023 at approximately 16.30 WIT or at least at another time in July 2023 at the roadside of the Uka Complex Jalan Abdul Sani Mutalib, Terjun Village, Medan Marelan District, Medan City or at least in a place that is still the legal area of the Medan District Court.

Defendant HERMAN PURBA was legally and convincingly proven guilty of committing the criminal act "Without rights or against the law, selling, being an intermediary in buying and selling, or handing over Class I (one) Narcotics in non-plant form weighing more than 5 (five) grams" in violation of Article 114 paragraph (2) Republic of Indonesia Law no. 35 of 2009 concerning Narcotics in Primary Indictments; That the defendant's actions in possessing, storing, controlling or providing Class I (one) narcotics in non-plant form weighing more than 5 (five) grams did not require permission from the competent authorities. From this case, the defendant was sentenced to imprisonment for 8 (eight) years reduced by the time the defendant was in detention with an order that the defendant remain in detention and a fine of Rp. 1,000,000,000, (one billion rupiah) Subsidiary 6 (six) months in prison.

**Bibliography**

- Abdurrachman, H., Praptono, E., & Rizkianto, K. (2012). *Pandecta Disparity in Judge Decisions in Drug Cases* . 7 .
- Ashharuddin, M., Badaru, B., & Kamal, M. (2020). *Analysis of Criminal Sanctions Against Perpetrators of Narcotics Crimes* . 9 (April), 58–71.
- Police, P., Enforcement, D., Bagus, I., Prawiradana, A., Putu, N., Yuliantini, R., & Windari, RA (2018). *BULELENG e-Journal of the Yustisia Community, Ganesha Education University* . 1 (3), 250–259.
- Narcotics, R., Case, S., Rutan, DI, Ii, K., Sigli,

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> INDONESIAN BNN. *Drugs and Their Problems* (book)



BK, Furqan, OH, & Sidiq, SHM (2003).

*No Title* . 71–89.

Nebi, O. (2018). *Factors Causing Narcotics*

*Users in the Community* . 2 (1), 81–88.

<https://doi.org/10.33087/wjh.v3i1.59>

On, P., Student, K., & Kota, D.I. (2023).

*Ekasakti research & service journal* . 3

(November 2022), 63–70.

Criminal, JH, & P-issn, PH (2020). *No Title* . 9

(1), 17–45.

[https://doi.org/10.22373/legitimacy.v9i1.](https://doi.org/10.22373/legitimacy.v9i1.7325)

7325

Rahayu, SD, & Monita, Y. (2020). *Judges'*

*Considerations in Decisions on Narcotics*

*Crime Cases* . 1 , 125–137.

Sus, PID, Rap, PN, Manurung, F., Syahrin, A.,

& Ablisar, M. (2021). *DISPARITY OF*

*JUDGES' DECISIONS REGARDING*

*NARCOTICS CRIME IN THE*

*JURISDICTION OF THE*

*RANTAUPRAPAT STATE COURT*

*(CASE STUDY DECISION NO. 159 /*

*PID. SUS / 2019 / PN. RAP AND*

*RULING NO. II (159), 62–79.*

Ung, F. (nd). *HIV/AIDS* . 83–88.

Vol, L.C. (2013). *Lex Crimen Vol. II/No.*

*4/August/2013 . II (4), 63–71.*

*Medan District Court Directorate Decision*

*Law of the Republic of Indonesia Number 35  
of 2009 concerning Narcotics*

<sup>1</sup> Asyharuddin, M, et al. (2020). *analysis of criminal sanctions against narcotics criminals* . Sulawesi; Plenary Jure. Pg 1

<sup>2</sup> Medan (mainnews.com). *North Sumatra Police Directorate of Narcotics* .tuan lee.medan on Tuesday, 04 Jul 2023 22:24

<sup>3</sup> *INDONESIAN BNN. Drugs and Their Problems* (book)