

ANALYSIS OF CRIMINAL LIABILITY OF THE HEAD OF THE MARKETING SECTION AT BANK SUMUT WHO COMMITTED CORRUPTION IN THE DECISION OF THE MEDAN DISTRICT COURT NUMBER 67/PID.SUS-TPK/2025/PN MDN

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Abstract

Based on the results of the study, it shows that the application of the elements of criminal acts of corruption in providing credit that does not comply with Banking Standard Operating Procedures in the Medan District Court Decision Number 67 / Pid.Sus-TPK / 2025 / PN Mdn is appropriate because the panel of judges has stated that the charges of Article 3 of Law No. 31 of 1999 have been fulfilled based on written evidence, witness testimony evidence, and the defendant's statement. The form of unlawful acts committed by the Head of the Marketing Section so that it is qualified as a criminal act of corruption in Decision Number 67 is the defendant's actions in not carrying out the credit analysis process in accordance with applicable provisions, approving applications for 2 credit facilities with incorrect data. The defendant's punishment is imprisonment for 1 year and 4 months and a fine of Rp. 50,000,000.

Keywords: *(Criminalization, Head of Marketing Section, Bank Sumut, Corruption Crime).*

1. INTRODUCTION

In relation to corruption cases within the banking sector, there is a case that has attracted the researcher's interest regarding how the legal process was carried out against a marketing section official who was responsible for carefully examining the feasibility of credit applications submitted by customers, as stated in the Decision of the Medan District Court Number 67/Pid.Sus-TPK/2025/PN Mdn. This case began in 2013 when a customer applied for People's Business Credit (KUR) at Bank Sumut. The Head of Marketing Section, Zainur Rusdi, as the credit feasibility examiner, approved the application with a KUR value of Rp 500 million, secured by Freehold Title Certificate (SHM) No. 229. The customer only paid monthly interest installments and was required to repay the entire principal at the final

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installment. At the final installment, the customer was unable to repay the principal debt. Zainur Rusdi then provided a solution by allowing the customer to reapply for credit amounting to Rp 750 million, secured by SHM No. 229 and SHM No. 435, under the same installment terms. However, this credit also became non-performing, causing Bank Sumut to suffer losses of Rp 1.3 billion. Due to these losses, the Sei Rampah District Attorney's Office conducted an investigation and named Zainur Rusdi as a suspect in a corruption crime for approving customer credit not in accordance with Standard Operating Procedures (SOP), resulting in state financial losses. This study seeks to identify the unlawful acts committed intentionally by the defendant, which constitute one of the main elements of corruption.

2. METHODOLOGY

This research employs a normative legal research (juridical-normative) method with a descriptive-analytical nature, aiming to describe and analyze applicable legal provisions and their implementation in law enforcement practice. The statutory approach was carried out by reviewing regulations related to corruption crimes, namely the Criminal Code, Law Number 20 of 2001 concerning the Eradication of Corruption Crimes, and Law Number 10 of 1998 concerning Banking. The case approach was conducted through an in-depth analysis of the Medan District Court Decision Number 67/Pid.Sus-TPK/2025/PN Mdn as the main object of study. The data sources used are secondary data consisting of primary, secondary, and tertiary legal materials. Primary legal materials include legislation and relevant court decisions. Secondary legal materials consist of books, scientific journals, and research results related to corruption crimes and their enforcement. Tertiary legal materials include legal dictionaries and legal encyclopedias. Data collection was conducted through library research. Data analysis was carried out qualitatively by interpreting legal norms and legal facts contained in the court decision. The results of the analysis are presented systematically to provide a comprehensive overview of corruption crimes.

3. RESEARCH RESULTS AND DISCUSSION

Based on the research results, the application of the elements of corruption in granting credit not in accordance with banking SOP in the Medan District Court Decision Number 67/Pid.Sus-TPK/2025/PN Mdn was appropriate. The panel of judges declared that the indictment under Article 3 of Law No. 31 of 1999 was fulfilled, consisting of: 1) The element

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of “every person” was fulfilled, 2) The element of “with the intention of benefiting oneself or another person or a corporation” was fulfilled, 3) The element of “abusing authority, opportunity, or means available due to position” was fulfilled, 4) The element of “causing loss to state finances or the national economy” was fulfilled, 5) The element of “committing, ordering, or participating in the act” was fulfilled based on documentary evidence, witness testimony, and the defendant’s statement.

The defendant was proven guilty of corruption related to granting credit not in accordance with banking SOP. The unlawful act was demonstrated by approving credit without proper procedures, gaining personal or third-party benefit, abusing authority, and causing financial losses. The specific unlawful acts included: Failing to conduct proper credit analysis according to applicable provisions; Approving two credit facilities under the name of witness Selamat using incorrect data and improper credit purposes; Verifying the application while ignoring factual realities; Failing to apply the 5C banking principle; Causing financial losses to PT Bank Sumut Sei Rampah Branch amounting to Rp 1,332,585,554.

These actions fulfilled the elements of abuse of authority, unlawful conduct, and state/bank financial loss, qualifying as corruption. Sentencing The sentencing consisted of: Imprisonment for 1 year and 4 months; A fine of Rp 50,000,000. However, this punishment is considered too light and lacking deterrent effect. Article 3 of Law Number 20 of 2001 provides imprisonment of at least 1 year and up to 20 years and/or a fine between Rp 50 million and Rp 1 billion. The imprisonment served as the principal penalty, while the fine functioned as an additional financial sanction. The sentencing aimed to provide deterrence, uphold the rule of law, and reduce corruption practices in the banking sector.

4. CONCLUSION

The defendant’s actions fulfilled the elements of corruption, namely abuse of authority and unlawful conduct in the credit analysis process, causing potential financial losses to the state or bank. The imposed sentence of 1 year and 4 months imprisonment and a fine of Rp 50,000,000 represents principal and additional criminal sanctions intended to provide deterrence and uphold justice. The decision reflects legal certainty and justice in combating corruption in the banking sector, strengthening norms related to integrity and accountability

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of public and bank officials. Thus, the sentencing constitutes an integral part of fair, firm, and civilized law enforcement efforts in eradicating corruption in the banking sector.

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Legislation

Criminal Code

Medan District Court Decision Number 67/Pid.Sus-TPK/2025/PN Mdn

Law Number 10 of 1998 concerning Banking

Law Number 20 of 2001 concerning the Eradication of Corruption Crimes

Journals

(Translated journal titles maintained accordingly as in original list.)

Interview

Interview with Mr. Poster Sitorus, Ad hoc Judge at the Medan District Court, January 15, 2026, at 14:00 WIB.