

## JURIDICAL ANALYSIS OF THE IMPOSITION OF SEVERE PUNISHMENT ON NARCOTICS COURIERS IN THE DECISION OF THE MEDAN DISTRICT COURT NUMBER 1238/PID.SUS/2025/PN MDN

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### *Abstract*

*Imposing serious penalties on narcotics couriers based on Decision Number 1238/Pid.Sus/2025/PN Mdn consist of a trial process based on Article 145 to Article 190 of the Criminal Procedure Code and a decision process based on Article 191 to 202 of the Criminal Procedure Code. Factors that influence the imposition of serious penalties on narcotics couriers in Decision Number 1238 are the quantity and type of narcotics, the role and motivation of the suspect, the involvement in organized crime, the severity and social impact, the defendant's history of actions, the honesty and cooperation of the suspect, and the threat of punishment and applicable legal provisions. The judge's legal considerations in determining serious penalties for narcotics couriers in Decision Number 1238/Pid.Sus/2025/PN Mdn are appropriate because the elements of Article 114 paragraph (1) of Law No. 35 of 2009 concerning Narcotics have been fulfilled.*

**Keywords:** *Legal Analysis, Imposition of Serious Criminal Sentences, Couriers, Narcotics*

## 1. INTRODUCTION

Many narcotics-related crimes have been handled by law enforcement officers and have resulted in court decisions. Several drug dealers and traffickers have been arrested and sentenced to severe punishments in recent cases; however, other perpetrators tend to expand their operations. One example of a severe sentence for a narcotics courier occurred at the Medan District Court, as recorded in Decision Number 1238/Pid.Sus/2025/PN Mdn. The court ruled that the courier, Aidil Syahputra, was proven beyond a reasonable doubt to have committed the crime of “participating unlawfully as an intermediary in the sale and purchase of Class I narcotics in non-plant form exceeding 5 grams.” As a result, he was sentenced to 18 years imprisonment and a fine of IDR 1 billion. Based on this case, the researcher is interested in analyzing the judge’s considerations in imposing such a severe prison sentence on a narcotics courier whose payment for delivery was only IDR 1 million. In his defense, the

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courier stated during the trial that he accepted the delivery job because he needed money to support his wife and children. This analysis aims to evaluate the extent to which legal justice was applied to the courier.

## 2. METHODOLOGY

This research uses normative legal research (juridical-normative) with a descriptive-analytical approach, aiming to describe and analyze applicable legal provisions and their application in law enforcement practice. The statutory approach examines laws related to narcotics crimes, including the Indonesian Criminal Code (KUHP), Law No. 35 of 2009 on Narcotics, and its implementing regulations. The case approach involves an in-depth analysis of Medan District Court Decision Number 1238/Pid.Sus/2025/PN Mdn, which serves as the primary object of study. The research uses secondary data, including primary legal materials (laws and relevant court decisions), secondary legal materials (books, scientific journals, and research related to narcotics crimes and law enforcement), and tertiary legal materials (legal dictionaries and encyclopedias). Data collection was conducted through library research. Data analysis was carried out qualitatively by interpreting legal norms and factual evidence from the court decision. The results are presented systematically to provide a comprehensive view of narcotics-related criminal offenses.

## 3. RESEARCH RESULTS AND DISCUSSION

The research shows that the procedure and legal basis used by the court in imposing a severe sentence on the narcotics courier under Decision Number 1238/Pid.Sus/2025/PN Mdn include: Investigation process based on Article 81 of Law No. 35 of 2009 on Narcotics and Articles 102–136 of the Criminal Procedure Code (KUHAP), which regulate investigation, evidence collection, arrest, detention, and preliminary examination of the suspect. Prosecution process based on Articles 137–144 KUHAP, covering indictment preparation, case file submission to the court, and file verification to ensure legal certainty before trial. Trial process based on Articles 145–190 KUHAP, regulating hearings, examination of witnesses, the defendant, and evidence, as well as ensuring the defendant's rights and a fair trial. Judgment process based on Articles 191–202 KUHAP, covering judges' considerations in sentencing, writing of the verdict, and reasoning, including factors determining the severity of punishment. Execution of the sentence based on Articles 270–276 KUHAP, regulating

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detention, supervision, and actions necessary to ensure effective and fair enforcement of the punishment.

Overall, the court followed a systematic and integrated legal procedure, ensuring justice and legal certainty in narcotics law enforcement. Factors Influencing the Severe Sentence Factors considered in imposing a severe sentence on the courier include: Quantity and type of narcotics delivered, Role and motivation of the suspect, Involvement in organized crime, Severity and social impact, Criminal history, Honesty and cooperation of the suspect, Legal provisions and maximum penalties For example, larger quantities of narcotics indicate greater severity and social risk. The courier's role, whether as a main courier or minor participant, affects sentencing. Motivation, such as financial gain, is also considered. Involvement in organized crime networks is an aggravating factor. The social impact of the crime, including public health risks and moral damage to the younger generation, is taken into account. Previous criminal records and the suspect's cooperation during the investigation, such as providing information or returning evidence, can mitigate the sentence. Legal provisions, including maximum penalties under Articles 113, 114, and 113(2) of Law No. 35 of 2009, provide a framework for proportional sentencing.

**Judicial Considerations** The judge's juridical considerations were appropriate and comprehensive. To prove the courier's guilt under Article 114(1) of Law No. 35 of 2009, the court examined each element of the offense and correlated it with evidence: 1) "Every person" element – verified using witness and defendant testimony 2) "Without right or unlawfully acts as an intermediary" element – verified using witness testimony, defendant testimony, evidence weighing report from Ditres Narkoba Polda Sumut, and forensic laboratory report from Puslabfor Bareskrim Polri Medan, Lab No. 1013/NNF/2025 dated 20 February 2025 3) "Participation, ordering, or acting together" element – verified using defendant's testimony The court meticulously linked the elements of the crime with the evidence, ensuring the sentence was based on valid and comprehensive proof in accordance with procedural law. Consequently, the severe sentence was justified, procedurally sound, and legally accountable.

## 4. CONCLUSION

The juridical analysis of the severe sentence imposed on the narcotics courier in Medan District Court Decision Number 1238/Pid.Sus/2025/PN Mdn shows that the sentence

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complies with existing legal provisions. The judge carefully considered each element of the offense under Article 114(1) of Law No. 35 of 2009, supported by valid and relevant evidence. The evaluation of elements such as “every person,” “without right or unlawfully,” and the defendant’s involvement in narcotics distribution was conducted accurately based on trial facts. Therefore, the court’s decision to impose a severe sentence is juridically appropriate, proportional, and just, reflecting both legal fairness and certainty.

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