

ANALYSIS OF JUDICIAL CONSIDERATIONS IN IMPOSING SEVERE SENTENCES ON NARCOTICS DEALERS IN THE DECISION OF THE MEDAN DISTRICT COURT NUMBER 1219/PID.SUS/2025/PN MDN

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Abstract

Based on the results of the study, it shows that the legal regulations regarding the crime of selling narcotics based on Law Number 35 of 2009 concerning Narcotics have been regulated in Articles 114, 119 and 124. The differences between Articles 114, 119, and 124 are not only in the different types of narcotics, but also in the varying criminal sanctions. The conformity of the principles of criminal justice and the purpose of punishment with the decision of the heavy sentence imposed by the judge in the Medan District Court Decision 1219 / Pid.Sus / 2025 / PN Mdn is appropriate, namely the heavy sentence determined by the judge has fulfilled the principle of legality, the principle of equality before the law, and the principle of proportionality. The judge's consideration in imposing a heavy sentence on the perpetrator of narcotics sales in the Medan District Court Decision 1219 / Pid.Sus / 2025 / PN Mdn is appropriate because the 9-year prison sentence has fulfilled the principle of proportional justice.

Keywords: *(Judge's Considerations, Severe Sentencing, Perpetrators, Narcotics Dealers*

1.INTRODUCTION

One of the court decisions that imposed a heavy sentence on a defendant in a narcotics distribution case can be seen in the Medan District Court Decision Number 1219/Pid.Sus/2025/PN Mdn. In that decision, the panel of judges sentenced the defendant for being proven guilty of committing the crime of unlawfully selling Class I Narcotics in non-plant form, namely methamphetamine, weighing more than 5 grams, with a prison sentence of 9 (nine) years. Based on this decision, the researcher is interested in analyzing the court decision in which the judge imposed a heavy sentence on the defendant in a narcotics sales case, even though the evidence in the form of methamphetamine obtained was not considered a large amount, namely only 20 (twenty) grams. Although the law sets a minimum threshold of 5 grams, the sentence needs to be analyzed more deeply to ensure that justice and the

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 194 - 201

Link: <https://e-journalbarokahpublisher.com/index.php/jihuk>

objectives of sentencing can be achieved, both for the defendant and for the government's goal of eradicating narcotics crimes. Juridically, the heavy sentence is in line with the applicable legal framework. However, in some cases, disparities in judges' decisions or imposition of penalties below the special minimum threat occur, triggering discussions regarding legal certainty and the need for clearer guidelines for judges.

2.METHODOLOGY

This research uses a normative legal research method (normative juridical) with a descriptive-analytical nature, which is research aimed at describing and analyzing prevailing legal provisions as well as their application in law enforcement practice. The statutory approach is conducted by reviewing various regulations related to narcotics crimes, namely the Criminal Code and Law Number 35 of 2009 concerning Narcotics, as well as other implementing regulations. The case approach is conducted through in-depth analysis of Medan District Court Decision Number 1219/Pid.Sus/2025/PN Mdn as the main object of study. The data sources used in this research are secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include relevant statutory regulations and court decisions. Secondary legal materials consist of books, scientific journals, and research results related to narcotics crimes and their law enforcement. Tertiary legal materials include legal dictionaries and legal encyclopedias. Data collection techniques are conducted through library research. Data analysis is carried out qualitatively by interpreting legal norms and legal facts contained in court decisions. The results of the analysis are presented systematically to provide a comprehensive overview of narcotics crimes.

3. RESEARCH RESULTS AND DISCUSSION

Based on the research results and discussion, it shows that the legal regulation concerning the crime of selling narcotics according to Law Number 35 of 2009 concerning Narcotics is already regulated in Article 114 for Class I narcotics, Article 119 for Class II narcotics, and Article 124 for Class III narcotics. The differences between Articles 114, 119, and 124, besides being in the type of narcotics, also reflect lighter criminal sanctions. In Article 114, the penalty threatens imprisonment for a minimum of 5 (five) years and a

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ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 194 - 201

Link: <https://e-journalbarokahpublisher.com/index.php/jihuk>

maximum of 20 (twenty) years; Article 119 imposes imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years, whereas Article 124 imposes imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years. Law Number 35 of 2009 concerning Narcotics regulates in detail the crime of selling narcotics, divided into several articles according to the narcotics class being sold. This regulation aims to provide firm and proportional legal protection against narcotics distribution in society. The provisions in Law Number 35 of 2009 concerning Narcotics show a classification of narcotics according to class and adjusted to the level of danger and risk of use. The differences in these articles, besides being in the type of narcotics, are also reflected in the severity of the criminal sanctions imposed, thus it is expected to provide a deterrent effect and optimal protection for the public. The conformity of the principles of criminal justice and the objectives of sentencing with the heavy sentence imposed by the judge in Medan District Court Decision 1219/Pid.Sus/2025/PN Mdn is in accordance, namely the heavy punishment set by the judge has met the principle of legality, the principle of equality before the law, and the principle of proportionality because the judge imposed a heavy sentence on the defendant based on the provisions of Article 114 paragraph (2) with a threat of imprisonment for a minimum of 6 years and a maximum of 20 (twenty) years, or a punishment for the defendant not lighter than the minimum threat and not heavier than the maximum threat of 20 years imprisonment. The heavy sentence of 9 years imposed by the judge also aligns with the objectives of sentencing, namely to provide a deterrent effect, protect the public, and serve as a lesson and warning to society. In imposing a heavy sentence on the defendant, the Medan District Court judge considered the fundamental principles of criminal justice and the objectives of sentencing. The judge imposed a heavy sentence in accordance with the legal provisions regulated in legislation, particularly according to the article applicable to the type of crime committed by the defendant. This shows that legal considerations and regulations have been fulfilled, so that the principle of legality is met. The court decision shows that the defendant was given a sentence corresponding to the level of guilt and the crime committed, without discrimination. The imposition of a heavy sentence was carried out objectively and fairly, in accordance with the trial facts and applicable regulations. The punishment imposed must be balanced and proportional to the severity of the crime and the consequences caused. The heavy sentence imposed by the judge considered the severity of the crime, the risk posed to society, as well as

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ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 194 - 201

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the intent and role of the defendant in the criminal act. Thus, the sentence conforms to the principle of proportionality, neither excessive nor too lenient. Based on the analysis of the decision, the heavy sentence imposed by the judge already aligns with the principles of criminal justice and the objectives of sentencing. The principles of legality, equality before the law, and proportionality have been met, making the decision considered fair and in accordance with applicable legislation.

The judge's consideration in imposing a heavy sentence on the perpetrator of narcotics sales in Medan District Court Decision 1219/Pid.Sus/2025/PN Mdn was appropriate because the 9-year prison sentence already meets the principle of proportional justice. However, regarding the elements of offering for sale, selling, buying, receiving, acting as an intermediary in a sale, exchanging, delivering, or receiving Class I Narcotics weighing more than 5 grams, the consideration was less precise because the panel of judges did not explain which specific act was proven by the evidence, namely whether the act was offering for sale, selling, buying, receiving, acting as an intermediary, exchanging, delivering, or receiving Class I Narcotics over 5 grams. The judge should have clarified which act matched the evidence, for example, the act of selling should have evidence showing the process of narcotics sale, including details of who was the seller and buyer and the exchange item used. In the decision, the judge imposed 9 years imprisonment on the defendant for the crime of selling Class I narcotics. In general, the judge's consideration was appropriate because the sentence was deemed to meet the principle of proportional justice, according to the level of crime and the amount of narcotics sold. The 9-year sentence is considered in accordance with legal provisions and considers the level of danger posed by the narcotics. The sentence also aligns with the objectives of sentencing to provide a deterrent effect and protect society. Thus, from the aspect of justice, the sentence already sufficiently meets the principle of proportional justice. However, in the judge's consideration regarding the elements of the acts committed by the defendant, there is a deficiency, namely that the elements of offering for sale, selling, buying, receiving, acting as an intermediary, exchanging, delivering, or receiving Class I Narcotics over 5 grams were not explained in detail as to which act was proven based on the available evidence. The lack of clarity can raise questions about the factual legal basis used, which should have been the primary foundation for imposing the sentence.

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4. CONCLUSION

The conclusion from the analysis of the judge's consideration in imposing a heavy sentence on the narcotics seller in Medan District Court Decision Number 1219/Pid.Sus/2025/PN Mdn is that the 9-year sentence is already proportional and meets the general principles of justice. However, in terms of material aspects, the judge's consideration regarding the proven elements of the acts needs to be clarified to meet formal juridical aspects and the principle of procedural justice. There needs to be a more detailed explanation of the elements of the defendant's acts proven by evidence so that the decision is truly complete and legally valid according to criminal procedure law. Therefore, although the sentence is already appropriate in terms of proportionality, the clarity and depth in the consideration of the elements of the acts need attention in court decision-making.

ACKNOWLEDGMENTS

The author expresses gratitude to all parties who have provided support and contributions in preparing this research. Thanks are conveyed to law enforcement officials and related parties who have provided access to court decisions and supporting data relevant to the research object. In addition, the author expresses appreciation to academics and researchers whose works became important references in developing the theoretical framework and legal analysis in this research. Special thanks are given to the author's family for their prayers, moral support, and motivation during the process of preparing the research up to the writing of this article. The author realizes that this research still has limitations; therefore, all constructive criticism and suggestions are highly expected for the improvement of future research.

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B.Legislation

Criminal Code (KUHP)

Criminal Procedure Code (KUHAP)

Medan District Court Decision Number 1219/Pid.Sus/2025/PN Mdn

Law Number 35 of 2009 concerning Narcotics

Law Number 48 of 2009 concerning Judicial Power

C.Journals

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