

## JURIDICAL ANALYSIS OF CRIMINAL LIABILITY OF PERPETRATORS OF COLLECTIVE VIOLENCE IN THE DECISION OF THE MEDAN DISTRICT COURT NUMBER 1245/PID.B/2025/PN MDN

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### *Abstract*

*Based on the results of the study, it shows that the elements of the crime of violence committed together consist of the element of whoever, the element of openly, the element of joint force, the element of using violence, the element against people or goods. The proof of the crime of violence committed together in Decision Number 1245 / Pid.B / 2025 / PN Mdn is appropriate, namely the proof of the element of whoever and the element of intentionally in public together committing violence against people or goods resulting in the destruction of goods or causing serious injury has been proven based on evidence of witness statements, statements of the defendant, written evidence, and evidence of indications. The responsibility of the perpetrator of the crime of violence committed together in Decision Number 1245 is to be sentenced to 3 years in prison. The decision of the panel of judges is inappropriate and too light*

**Keywords:** (Legal Analysis, Criminal Responsibility, Perpetrators, Violent Crimes, Carried Out Together)

## 1. INTRODUCTION

Violence committed collectively against a person (mob violence) is the most frequent criminal act occurring in society. Such as the criminal act of collective violence that occurred in Petisah Subdistrict, Medan Baru District, Medan City in April 2025. Where several perpetrators committed acts of violence against a victim named Wedi Putra Halawa on the campus area of ISTP. The incident of violence was triggered by a report from a friend of the perpetrator that one of his friends was hit by an unknown student. Based on this report, the perpetrators went to ISTP campus and saw their friends catching the victim. The perpetrators immediately struck the victim without asking whether the victim was the person who had hit their friend. As a result of the perpetrators' actions, the victim suffered injuries to the temples and ribs. Following this incident, the victim filed a police report with Medan Baru Sector Police regarding the criminal act of violence he experienced. Based on the perpetrators'

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actions, the Medan District Court sentenced the perpetrators to 3 years of imprisonment. Based on this verdict, the researcher is interested in conducting an analysis of this decision. The researcher's analysis will focus on the criminal liability of the perpetrators for committing violence against another person collectively.

## 2. METHODOLOGY

This study uses a normative legal research method (juridical normative) with a descriptive-analytical nature, namely research aimed at describing and analyzing applicable legal provisions as well as their implementation in law enforcement practice.

The statutory approach was conducted by reviewing various regulations related to the criminal act of collective violence, namely the Criminal Code (KUHP) and other implementing regulations. The case approach was carried out through an in-depth analysis of the Medan District Court Decision Number 1245/Pid.B/2025/PN Mdn as the main object of research.

The data sources used in this study 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 include books, scientific journals, and research results related to acts of violence and law enforcement. Tertiary legal materials include legal dictionaries and legal encyclopedias. Data collection techniques were carried out 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 the criminal act of violence.

## 3. RESEARCH RESULTS AND DISCUSSION

Based on the research results and discussion above, it can be concluded that the elements of a criminal act of collective violence consist of the following: "Whoever" element: every person who commits or participates in committing violence collectively against a person or property. Openly element: the violent act must be carried out visibly, openly, and not in secret. With joint force element: the act of violence is carried out collectively by two or more people simultaneously and cooperatively. Use of violence element: the perpetrator performs direct physical actions causing injuries or threats of violence that make the victim

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feel afraid and helpless. Against a person or property element: the target of the violent act is either a human being or someone else's property.

In criminal law, a criminal act of violence carried out collectively (jointly) or in a group has specific elements that must be fulfilled to classify it as collective violence. The main elements are as follows: 1) Existence of Violent Act: there is a violent action committed by the perpetrator, which may include physical, psychological, or other forms of unlawful violence. This violence must fulfill the objective element, namely actions causing fear, injury, or suffering. 2) Intent or Joint Intention: the perpetrators carry out the violence consciously and with a shared intention. They have an agreement or at least mutually support each other in committing the violence. Awareness and joint intent distinguish collective violence from individual violence. 3) Existence of Multiple Perpetrators: violence is committed by two or more persons simultaneously or in coordination. The active role of several perpetrators is crucial in classifying an act as collective violence. 4) Connection and Agreement Among Perpetrators: there is a relationship, communication, or agreement indicating that the perpetrators act jointly for a specific purpose, such as intimidation, threat, or collective violence. 5) Not Necessarily Formal, but Demonstrates Joint Behavior: this element does not require a formal contract, but is sufficient if actions indicate collaboration or agreement among the perpetrators in committing violence.

The fulfillment of these elements forms the basis for judges to classify and impose appropriate punishments on perpetrators of collective violence. The evidence of collective violence in Medan District Court Decision Number 1245/Pid.B/2025/PN Mdn is deemed proper, namely: the proof of the "whoever" element and the element of intentionally committing violence in public collectively against a person or property resulting in damage or serious injury, has been proven based on: Witness testimony of Wendi Putra Halawa as the victim who experienced violence. Witness testimony of Dimas Arianto Siantur, a friend of the victim who witnessed the violent incident. Defendant's statement acknowledging the act. Documentary evidence: Visum Et Repertum Number B/313/IV/2025/RS.Bhayangkara, showing injuries on the victim's back of the head, right side of the head, and abrasions on the right abdomen allegedly caused by a blunt object. Indicative evidence: one blood-stained white-brown striped t-shirt and a flash drive containing CCTV recordings related to the violent incident experienced by the victim. All evidence is mutually consistent.

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In the case of collective violence as described in Medan District Court Decision Number 1245/Pid.B/2025/PN Mdn, the proof of these elements was carried out carefully and appropriately by the panel of judges. The judges conducted a comprehensive analysis of all submitted evidence, including witness statements, defendant statements, documentary evidence, and physical evidence. They support and reinforce each other, fulfilling the legal standard of evidence under criminal procedural law.

Thus, the proof of the elements of collective violence in this decision has been conducted correctly and meets the applicable evidentiary requirements. This ensures that the defendant is legally and convincingly proven to have committed collective violence, making the court decision legally accountable.

The criminal liability of the perpetrators of collective violence in Medan District Court Decision Number 1245/Pid.B/2025/PN Mdn was a prison sentence of 3 years. The panel's decision is considered somewhat inappropriate and too light because the maximum penalty for violation of Article 170 paragraph (2) No. 2 of the Criminal Code is 9 years. Although mitigating factors were considered, the 3-year prison sentence is too light given that the victim suffered serious injuries.

The Medan District Court decided that the perpetrators of collective violence were sentenced to 3 years of imprisonment. This decision was based on legal considerations and facts revealed during the trial. Thus, the criminal liability of the perpetrators of collective violence in this case is considered to have fulfilled the elements of a criminal act, and the 3-year prison sentence is deemed appropriate and fair based on the facts and legal considerations in the decision. This decision also serves as a basis for proportional punishment for the perpetrators' actions.

## 4. CONCLUSION

The conclusion of the juridical analysis of criminal liability of perpetrators of collective violence in Medan District Court Decision Number 1245/Pid.B/2025/PN Mdn is that the imposition of criminal penalties and criminal liability by the panel of judges has complied with the applicable statutory provisions, particularly the Criminal Code (KUHP). The judges have proven and assessed that the defendant and his associates committed violence collectively with intent and awareness, fulfilling both the objective and subjective elements of the criminal act in accordance with the applicable articles.

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The prison sentence of 3 years is considered appropriate relative to the severity of the act, the role of the perpetrators, and the provisions of criminal sanctions, so there is no deviation from legal norms. The decision reflects the application of justice principles, where perpetrators are legally responsible for their actions and punished according to the degree of fault and collective nature of the act. The analysis shows that the criminal liability has fulfilled the principles of justice, clarity, and legal certainty, while also considering aggravating and mitigating factors. It can thus be stated that the juridical analysis of criminal liability of perpetrators of collective violence in this decision is legally accurate and consistent with applicable law, making the decision valid and just.

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The author realizes that this study still has limitations, so constructive criticism and suggestions are highly appreciated for the improvement of future research.

## REFERENCES

- Andi Hamzah, *KUHP dan KUHP*, PT. Rineka, Jakarta, (2013).
- Bambang Sunggono, *Metodologi Penelitian Hukum*, Raja Grafindo Persada, Jakarta, (2024).
- Chazawi, Adami, *Kejahatan Terhadap Tubuh dan Nyawa*, PT. Raja Grafindo Persada, Jakarta, (2020).
- Erdianto Effendi, *Hukum Pidana Indonesia*, Refika Aditama, Bandung, (2021).
- Hanafi Amrani and Mahrus Ali, *Sistem Pertanggungjawaban Pidana Perkembangan Dan Penerapan*, Rajawali Pers, Jakarta, (2023).
- Jan Remelink, *Hukum Pidana*, Gramedia Pustaka Utama, Jakarta, (2024).
- Mahrus Ali, *Dasar-Dasar Hukum Pidana*, Sinar Grafika, Jakarta, (2021).
- Moeljatno, *Kitab Undang-Undang Hukum Pidana*, Bumi Aksara, Jakarta, (2021).

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

Mr. Tresna, *Asas-Asas Hukum Pidana*, PT. Tiara Limited, Jakarta, (2024).

Muhammad Aenur Rosyid, *Buku Ajar Hukum Pidana*, IAIN Jember, Jember, (2024).

Niniek Suparni, *Eksistensi Pidana Denda Dalam Sistem Pidana Dan Pemidanaan*, Sinar Grafika, Jakarta, (2021).

P.A.F Lamintang and Theo Lamintang, *Hukum Penitensier Indonesia*, Sinar Grafika, Jakarta, (2023).

P.A.F Lamintang and Theo Lamintang, *Kejahatan Terhadap Nyawa, Tubuh, dan Kesehatan*, Sinar Grafika, Jakarta, (2022).

Peter Mahmud Marzuki, *Penelitian Hukum*, Prenada Media Group, Surabaya, (2015).

Prasetyo, *Hukum Pidana*, Raja Grafindo Persada, Depok, (2020).

Projodikoro, Wirjono, *Tindak-Tindak Pidana Tertentu Di Indonesia*, Aditama, Bandung, (2023).

Roeslan Saleh, *Perbuatan Pidana dan Pertanggungjawaban Pidana*, Politeia, Jakarta, (2019).

Romli Atmasasmita, *Teori dan Kapita Selekta Kriminologi*, Eresco, Bandung, (2000).

Schaffmeister D, Keijzer N, PH E. Sutorius, *Hukum Pidana*, Citra Aditya Bakti, Bandung, (2017).

Soenarto Soerodibroto, *KUHP dan KUHPA dilengkapi Yurisprudensi*, Mahkamah Agung, Hoge Raad Edition 5, Raja Grafindo Persada. Jakarta, (2019).

Surjono Sukanto, *Pengantar Penelitian Hukum*, Universitas Indonesia Press, Jakarta, (2023).

Thomas Susanto, *Teori-teori Kekerasan*, Ghalia Indonesia, Jakarta, (2022).

## B.Legislation

Criminal Procedure Code (KUHP)

Criminal Code (KUHP)

Medan District Court Decision Number 1245/Pid.B/2025/PN Mdn

## C.Journals

Aris Munandar Ar, et al., "Role of Mens Rea in Criminal Liability in Indonesia," *Jurnal JIMMI*, Vol. 1, No. 3, (2024).

Antony Kristanto, "Criminal Acts of Collective Violence Resulting in Death: Case Study of Supreme Court Decision Number 978 K/Pid/2020," *Jurnal Komunikasi & Informasi Hukum*, Vol. 1, No. 2, (2022).

# Journal of Law and Justice

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

Aziza Istiqomah, et al., "Criminal Law Review on Collective Violence Against Persons or Property," *Jurnal Recidive*, Vol. 11, No. 2, (2022).

Doddy Makanoneng, "Mental Disorders as Grounds for Exemption from Punishment," *Jurnal Lex Crimen*, Vol. 4, No. 4, (2016).

Etriwan O.S. Lau, et al., "Judicial Considerations in Applying the Law for Collective Violence in Public (Case Study Decision Number 214/Pid.B/2021/PN.Kpg)," *Jurnal Referendum*, Vol. 1, No. 3, (2024).

Ikhsan Adi Pratama, et al., "Application of Article 374 KUHP in Embezzlement Cases at Sukoharjo District Court (Decision Number: 187/PID.B/PN.SKH)," *Jurnal Bevinding*, Vol. 2, No. 3, (2024).

Mawardi Awaluddin, "Legal Review on Collective Violence Against Persons in Public," Undergraduate Thesis, Hasanuddin University, Makassar, (2017).

Pancar Triwibowo, "Criminal Liability of Perpetrators of Mob Violence Causing Death Among Football Supporters," Undergraduate Thesis, Universitas Pembangunan Nasional Veteran, East Java, (2012).

## D.Internet

Badan Pengembangan dan Pembinaan Bahasa, "Definition of Perpetrator," <https://kbbi.kemdikbud.go.id/>, accessed 11 December 2025, 17:39 WIB.

Wikipedia, Definition of Violence, <https://id.wikipedia.org/>, accessed 19 October 2025, 22:19 WIB.

## E.Interview

Interview with Ms. Zupida Hanum, S.H., M.H., Judge at Medan District Court, on 16 January 2026, at 14:00 WIB.