

JURIDICAL ANALYSIS OF ELECTRICITY-RELATED CRIMES COMMITTED BY BITCOIN MINING EMPLOYEES IN THE DECISION OF THE MEDAN DISTRICT COURT NUMBER 497/PID.SUS/2024/PN MDN

Putra Junico^{1*}, Muhammad Ridwan Lubis²

¹Fakultas Hukum, Universitas Muslim Nusantara (UMN) Al Washliyah, Indonesia
Email: junicoputra@gmail.com

²Fakultas Hukum, Universitas Muslim Nusantara (UMN) Al Washliyah, Indonesia,
Email: ridwan.lubis@umnaw.ac.id

Abstract

Based on the research results, it shows that there are no specific legal regulations governing the crime of electricity theft in Indonesia, particularly in the context of Bitcoin mining activities. However, if the electricity is used illegally, Article 362 of the Criminal Code concerning Theft or Article 51 paragraph (3) of Law No. 30 of 2009 concerning Electricity can be used. The elements of the crime of electricity theft applied to the theft case in Decision Number 497/Pid.Sus/2024/PN Mdn are appropriate and legally based, namely, proven by the existence of witness testimony, documentary evidence, indicative evidence, and the defendant's testimony. Criminal liability for perpetrators of electricity theft in Decision Number 497 is a prison sentence of 5 years and 6 months and a fine of Rp1,000,000,000.00.

Keywords: *Juridical Analysis, Electricity Crimes, Employees, Bitcoin Mining*

1. INTRODUCTION

One case of electricity theft that attracted the researcher's attention is the theft of electric current by a Bitcoin company in the city of Medan, as stated in Decision of the Medan District Court Number 497/Pid.Sus/2024/PN Mdn. In the decision, it is explained that the defendant, Pantas Eliakim Tampubolon, acting as HRD Manager of PT CMD, a company engaged in Bitcoin mining, was charged by the public prosecutor with committing or participating in the theft of electricity by illegally connecting power from a PLN electricity pole without permission and without passing through a KWH meter as required. In the case, it was stated that PT CMD operated several Bitcoin mining units located in various places in the city of Medan. The defendant served as HRD Manager and received a salary from the company. The modus operandi of the electricity theft was carried out by secretly connecting electricity directly to the shop-houses used as Bitcoin mining facilities. Since Bitcoin mining operations require a large amount of electrical power, the act was committed by the defendant

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

upon the order of the company owner, Antoni Sitorus. As a result of the defendant's actions, the court sentenced him to 5 years and 6 months of imprisonment. The researcher is interested in conducting a study to identify whether the act of electricity theft committed by the employee fulfills the elements of a criminal offense under criminal law.

2. METHODOLOGY

This research applies a normative legal research method (juridical normative) with a descriptive-analytical approach, aiming to describe and analyze the applicable legal provisions and their implementation in law enforcement practice.

The statutory approach was carried out by examining various regulations related to the criminal offense of electricity theft, namely the Indonesian Criminal Code and Law Number 30 of 2009 on Electricity, along with its implementing regulations. The case approach was conducted through an in-depth analysis of Decision of the Medan District Court Number 497/Pid.Sus/2024/PN Mdn as the primary object of the study.

The data used in this research consist of secondary data, including primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include statutory regulations and relevant court decisions. Secondary legal materials include books, scientific journals, and research findings related to the criminal offense of electricity theft and its law enforcement. Tertiary legal materials include legal dictionaries and legal encyclopedias. Data collection was conducted through library research.

The data were analyzed 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 offense of electricity theft.

3. RESEARCH FINDINGS AND DISCUSSION

Based on the research findings and discussion, the legal regulations governing the criminal offense of electricity theft in Indonesia, particularly in the context of Bitcoin mining activities, do not specifically regulate the use of electricity for Bitcoin mining. However, if electricity is used illegally or unlawfully—such as through electricity theft for Bitcoin mining activities—then Article 362 of the Indonesian Criminal Code concerning theft or Article 51 paragraph (3) of Law Number 30 of 2009 on Electricity may be applied. The latter stipulates

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

that any person who unlawfully uses electrical power that is not their right may be punished with a maximum imprisonment of 7 years and a maximum fine of Rp 2.5 billion.

This provision specifically regulates violations concerning the unlawful use of electrical power and may be applied when Bitcoin mining activities are conducted by stealing electricity or using it illegally. In the context of Bitcoin mining activities that consume large amounts of electricity and potentially violate regulations, the application of the law must be supported by evidence of illegal electricity use, such as the absence of proper authorization or proof of theft. If proven, the perpetrator may be subject to criminal sanctions in accordance with these provisions.

In general, although there is no specific regulation concerning Bitcoin mining, the illegal use of electricity for such activities may be prosecuted under existing criminal provisions, both under the Criminal Code and the Electricity Law, as a means of protecting the lawful use of electrical resources and preventing state losses.

The proof of the elements of the criminal offense of electricity theft applied in Decision of the Medan District Court Number 497/Pid.Sus/2024/PN Mdn was appropriate and legally grounded. The elements were proven based on witness testimony, documentary evidence from the defendant's legal counsel regarding a request for restorative justice, indicative evidence in the form of a certificate stating the defendant's position as HRD Director of PT CMD, and the defendant's own testimony acknowledging that he served as HRD Director and participated in unlawfully using electrical power that was not his right at PT CMD.

The witnesses provided testimony supporting the fact that the defendant had used electrical power without authorization and unlawfully. This testimony constituted an essential element in establishing the legal facts. The restorative justice request demonstrated an effort toward reconciliation and acknowledgment by the defendant, which strengthened the element of intent and responsibility, and served as a consideration in sentencing. The certificate confirming the defendant's position as HRD Director further indicated his direct involvement in the unlawful use of electricity. The defendant's admission reinforced that the elements of the criminal offense had been legally and convincingly proven.

Based on all the evidence presented, the elements of the criminal offense of electricity theft—namely the act of unlawfully taking electrical power belonging to another party—were

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

fully established and met the evidentiary standards under Indonesian criminal law. Therefore, the court's decision in this case was appropriate and in accordance with the applicable law.

Regarding criminal liability, in Decision of the Medan District Court Number 497/Pid.Sus/2024/PN Mdn, the defendant was sentenced to 5 years and 6 months of imprisonment and fined Rp 1,000,000,000 (one billion rupiah), with the provision that failure to pay the fine would result in a substitute imprisonment of 4 months.

The sentence may be categorized as relatively severe and reflects the seriousness of the violation. Electricity theft constitutes a criminal offense that causes losses to the state and other parties and potentially endangers public safety and order. Thus, the sentence imposed demonstrates that the perpetrator's criminal liability was proportionate to the severity of the offense and in accordance with applicable legal provisions, while also serving as a deterrent and protecting national electricity resources.

4. CONCLUSION

The juridical analysis of the criminal offense in the electricity sector committed by a Bitcoin mining employee in Decision of the Medan District Court Number 497/Pid.Sus/2024/PN Mdn concludes that the offense fulfilled the elements of a criminal act under applicable law, namely the unlawful use of electrical power without proper authorization and to the detriment of the rightful party. The proof of these elements was supported by valid and comprehensive evidence, including witness testimony, documents from legal counsel, an official certificate of the defendant's position as HRD Director of PT CMD, and the defendant's confession. Furthermore, the imposition of criminal liability in the form of 5 years and 6 months of imprisonment and a fine of one billion rupiah reflects the severity of the violation and serves as a deterrent measure. The punishment is consistent with applicable criminal law provisions and takes into account justice considerations and the protection of national electricity resources. Therefore, the decision is legally grounded, fair, and proportional, while also providing deterrence and safeguarding public interests and state electricity resources from similar criminal acts in the future.

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

ACKNOWLEDGMENTS

The author would like to express sincere gratitude to all parties who provided support and contributions in the preparation of this research. Appreciation is extended to law enforcement officials and related parties who granted access to court decisions and relevant supporting data for the research object. The author also expresses appreciation to academics and researchers whose works served as important references in developing the theoretical framework and legal analysis in this study. Special thanks are extended to the author's family for their prayers, moral support, and motivation throughout the research and writing process. The author acknowledges that this research still has limitations; therefore, constructive criticism and suggestions are highly welcomed for the improvement of future research.

REFERENCES

- Abdul Khakim, *Fundamentals of Indonesian Labor Law*, PT Citra Aditya Bakti, Bandung, (2022).
- Abrar Saleng, *Mining Law*, UII Press, Yogyakarta, (2024).
- Adami Chazawi, *Criminal Law Lessons Part 1: Penal System, Criminal Offenses, Theories of Punishment, and the Scope of Criminal Law*, 8th Edition, Raja Grafindo Persada, Jakarta, (2021).
- Almaududi, *Labor Law: Employment Relations in Theory and Practice*, Kaifa Publishing, Bandung, (2024).
- Amir Ilyas, *Principles of Criminal Law: Understanding Criminal Acts and Criminal Responsibility as Requirements for Punishment*, First Edition, Rangkang Education, Yogyakarta, (2022).
- Andi Sofyan and Nur Azisa, *Criminal Law*, First Edition, Pustaka Pena Press, Makassar, (2022).
- Dyah Ochtorina Susanti and A'an Efendi, *Legal Research*, Sinar Grafika, Jakarta, (2021).
- Fitri Wahyuni, *Fundamentals of Criminal Law in Indonesia*, First Edition, PT Nusantara Persada Utama, South Tangerang, (2024).
- Harry Sasangka and Lily Rosita, *Law of Evidence in Criminal Cases*, Bandar Maju, Bandung, (2023).

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

Hufron and Chamdani, *Legal Protection for Outsourced Workers after the Enactment of the Job Creation Law*, Jejak Pustaka, Yogyakarta, (2023).

Lukman Hakim, *Principles of Criminal Law*, First Edition, Deepublish, Yogyakarta, (2019).

M. Yahya Harahap, *Discussion of Problems and Application of the Criminal Procedure Code: Court Examination, Appeal, Cassation, and Judicial Review*, Sinar Grafika, Jakarta, (2020).

Manullang, *Fundamentals of Management*, Ghalia Indonesia, Jakarta, (2020).

Muhammad Azhar, *Labor Law*, Undip, Semarang, (2021).

Oscar Darmawan, *Bitcoin: The World's Digital Currency*, Jasakom, Jakarta, (2024).

P.A.F. Lamintang and F.T. Lamintang, *Fundamentals of Indonesian Criminal Law*, First Edition, Sinar Grafika, Jakarta, (2020).

Peter Mahmud Marzuki, *Legal Research*, Prenada Media Group, Surabaya, (2019).

Salim H.S., *Mineral and Coal Mining Law*, Sinar Grafika, Jakarta, (2024).

Schaffmeister D., *Criminal Law*, PT Citra Aditya Bakti, Surabaya, (2023).

Soerjono Soekanto, *Introduction to Legal Research*, UI Press, Jakarta, (2024).

B.Legislation

Indonesian Criminal Code (KUHP).

Board of Directors Regulation of PT PLN (Persero) Number 008-Z.P/DIR/2016 concerning Control of Electricity Usage (P2TL).

Decision of the Medan District Court Number 497/Pid.Sus/2024/PN Mdn.

Law No. 13 of 2003 concerning Manpower.

Law No. 18 of 2017 concerning the Protection of Indonesian Migrant Workers.

Law No. 6 of 2023 concerning the Stipulation of the Government Regulation in Lieu of Law on Job Creation into Law.

Law Number 30 of 2009 concerning Electricity.

Law Number 7 of 2011 concerning Currency.

C.Journals

Ari Destriadi, "Law Enforcement of the Criminal Offense of Electricity Theft Based on Law Number 30 of 2009 concerning Electricity in the Jurisdiction of Bangkinang City," *Online Journal of the Faculty of Law*, Vol. 4, No. 2, (2017).

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

- Dennys William, "Legal Responsibility of Perpetrators of Electricity Theft in Balikpapan City," *Lex Suprema Journal*, Vol. 2, No. 1, (2020).
- Fachrul Rozi, "The System of Evidence in Criminal Trial Proceedings," *Yuridis Unaja Journal*, Vol. 1, No. 2, (2019).
- Febryanto Samuel Pangkey, "Investigation of Criminal Offenses in the Electricity Sector," *Lex et Societatis Journal*, Vol. 1, No. 3, (2023).
- Mahmuod Lafee Obeedan Khalaf and Thamer Ali Alnwairan, "Virtual Currencies (Bitcoin): The Stand of Islamic Economy on the Use of Such Currencies," *Journal of Critical Review*, Vol. 7, No. 15, (2020).
- Marlina, "Juridical Review of the Criminal Offense of Electricity Flow Theft in Makassar City," *IJI Publication Journal*, Vol. 5, No. 3, (2025).
- Muhammad Djaelani Prasetya, "Sentencing Disparities Due to the Separation of Three Narcotics Cases within One Series of Criminal Events," *Jatiswara Journal*, Vol. 38, No. 2, (2023).
- Muhammad Djaelani Prasetya, "Sentence Aggravation for Members of the Indonesian National Armed Forces Committing Assault Resulting in Death," *UNES Law Review*, Vol. 5, No. 4, (2023).
- Paryono, "Development of Electricity Energy Law in Indonesia," *Ransendental Law Journal*, Vol. 5, No. 2, (2024).
- Rayhan Ichšana, "Criminal Law Enforcement against Electricity Theft by Customers: Case Study of PT PLN UP3 Jambi," *Journal of Legal Studies and Public Policy*, Vol. 3, No. 1, (2025).
- Sultan Wahidy, *Cryptocurrency (Bitcoin) Mining Study from the Perspective of Hifz Al-Bi'ah*, Master's Thesis in Sharia Science, Faculty of Sharia and Law, Sunan Kalijaga State Islamic University, Yogyakarta, (2025).

D.Internet

- Bernadetha Aurelia Oktavira, "The Legality of Bitcoin under Indonesian Law," available at <https://www.hukumonline.com>, accessed on 23 November 2025 at 03:49 WIB.
- Kamus Besar Bahasa Indonesia, "Definition of Employee," available at <http://kamusbesarbahasaindonesia.org/>, accessed on 24 November 2025 at 19:08 WIB.

Journal of Law and Justice

ISSN: 3124-419X (Online Media) Vol: 1, No: 1, Page: 273 - 280

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

Kamus Besar Bahasa Indonesia, "Definition of Employee," available at

<http://kamusbesarbahasaindonesia.org/>.