

APPLICATION OF CRIMINAL LAW TO THE CRIME OF THEFT WITH AGGRAVATION (STUDY AT THE INDRAPURA POLICE STATION)

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Abstract

This study examines legal issues involving aggravated theft, theft, law enforcement. It employs normative legal research with an empirical juridical approach and draws on interviews, official examination reports (BAP), statutory regulations, legal literature, official documents. The findings show that the applicable legal framework must be connected to the specific elements and facts of the case. Investigation or implementation also requires consistent documentary records, witness statements, relevant evidence, and procedural safeguards. The study highlights the need for accurate legal reasoning, coherent documentation, institutional coordination, and accountability. These findings support a more consistent application of Indonesian law concerning aggravated theft, theft.

Keywords: *Criminal Law, Aggravated Theft, House Burglary, Criminal Liability*

1. Introduction

Indonesia, as a state governed by law, protects property rights through criminal law because unlawful appropriation harms owners and can disturb public security. Theft involves taking property belonging wholly or partly to another person with the intention of possessing it unlawfully (Moeljatno, 2008). Criminal protection therefore extends both to the property taken and to the legal interests affected by the manner in which the theft is committed.

Theft committed by dismantling a residence raises an additional legal issue because the perpetrator unlawfully overcomes a barrier protecting the premises. The aggravating circumstance concerns the method employed, including breaking open a door or using an implement to enter a place where property is kept (Adami Chazawi, 2013). Establishing the method of entry is consequently indispensable when distinguishing ordinary theft from theft with aggravation.

The case examined arose at a rented house in Hamlet VI, Titi Payung Village, Air Putih District, Batu Bara Regency, on Monday, December 8, 2025, at approximately 14.00 WIB. According to the examination report, Muhammad Riduwan, also known as Iwan, was suspected of taking an ASUS laptop from the house while its occupants were absent. The study uses this incident to examine the applicable theft provisions, proof of the aggravating method, and the grounds for the alleged offender's criminal liability.

The suspect's examination report describes him walking through the village, noticing the vacant house, and checking the surrounding area before approaching its locked rear door. He reportedly carried a crowbar and used it to pry the door hinge or bolt until the door opened, permitting him to enter the house. Once inside, he took an ASUS laptop from beneath a study desk, concealed it under his clothing, and departed through the same door.

The report further records that the suspect carried the laptop to a field, concealed it in a hut, and threw the crowbar into a river. He subsequently met a person named Bayu, expressed his wish to sell the computer, and reportedly sold it the following day for approximately IDR 400,000. His statement also connected the proceeds to methamphetamine purchases, online

gambling, and daily needs, although those alleged motives do not replace proof of the constituent elements of theft.

The central juridical question concerns both the taking of the laptop and the alleged forced entry into the victim's residence. The crowbar, condition of the rear door, stolen item, and sequence of acts must be considered together rather than treating the disappearance of property alone as conclusive evidence of the aggravated offence. Accordingly, this article examines the regulation of theft by dismantling an unoccupied house, the application of criminal elements in the Indrapura Police case, and the perpetrator's criminal liability.

2. Methodology

2.1. Research Methodology

The research was conducted at the Indrapura Sector Police on Jalan Simpang Sipare-pare, Indrapura, Batu Bara Regency, North Sumatra. This location was selected because the police station handled the alleged laptop theft and exercised investigative powers to receive reports, examine witnesses and suspects, collect evidence, and compile the case file. Its handling of the reported incident provides the empirical setting for examining both the offence elements and criminal responsibility.

The study uses normative legal research supported by an empirical juridical approach to compare criminal law provisions with their application in the investigation. The normative inquiry addresses theft, aggravating circumstances, procedural requirements, and criminal liability, while the empirical inquiry focuses on entry by crowbar, the investigation, evidence, and suspect determination. This combination enables a connected reading of legal norms and documented practice at the Indrapura Police Station (Zainuddin Ali, 2016; Amiruddin and Zainal Asikin, 2016; Soerjono Soekanto, 2014).

Primary data derive from interviews with investigators or personnel involved in handling the case and from relevant official records. Those records include the police report, investigation warrant, examination reports, suspect-determination documents, confiscation minutes, and any court authorization or approval relating to confiscation. They are assessed for the chronology of the reported theft, the alleged use of a crowbar, the relationship between the suspect and the laptop, and the construction of evidence.

Secondary data comprise primary legal materials, scholarly commentary, and supporting legal reference materials. Statutes and official case documents are read alongside books and relevant legal doctrine to identify the provisions and concepts applicable to each stage of the case. The analysis relates the available statements and physical evidence to the elements of the alleged offence without treating an allegation or an interview statement as a final judicial finding.

2.2. Theoretical Foundations

A criminal act is conduct prohibited by a criminal provision and subject to a statutory penalty, rather than merely behaviour regarded as morally objectionable. This definition reflects the principle of legality, which requires a legal rule to identify the prohibited act and its consequences (Moeljatno, 2008). The investigation must therefore connect the facts of the reported incident to each element of the applicable criminal provision.

The objective elements of the alleged theft include conduct by a person, the taking of a movable object, its belonging to another person, and the absence of lawful authority. In this case, the relevant object is the ASUS laptop, while the reported taking and removal from the rented house are the conduct requiring proof. Unlawfulness is assessed through the victim's rights and the reported absence of permission to enter or take the item (Mahrus Ali, 2019).

The subjective dimension concerns the intention to possess another person's property unlawfully rather than accidental possession. Deliberate conduct may be assessed from a connected series of acts, including observing the house, using an implement to open the door,

concealing the laptop, and disposing of or selling the property. Nevertheless, inferred intention must be supported by reliable evidence and measured against the statutory formulation (Teguh Prasetyo, 2016).

A further distinction is required between proving a criminal act and establishing personal criminal liability. Although conduct may meet the description of an offence, liability also depends upon culpability, the capacity to be held responsible, and the absence of grounds excluding responsibility (Eddy O.S. Hiariej, 2016). The elements of the offence and the suspect's relationship to those elements must accordingly be assessed separately before a conclusion is drawn.

The article examines theft provisions in Law Number 1 of 2023 concerning the Criminal Code and refers specifically to Article 477 paragraph (1) letter f as cited in the suspect-determination document (Indonesia, 2023). The manuscript describes this provision as the basis for alleged theft committed through an aggravating method, whereas Article 476 concerns ordinary theft. The statutory basis applied to an incident must be identified precisely in relation to the incident's date and the rule of legality, rather than inferred merely from the label of the charge.

2.3. Legal Arrangements and Key Concepts

Taking in the law of theft denotes removing goods from the control of their owner or lawful possessor and bringing them under the control of another person without a right to do so (R. Sugandhi, 1981). The suspected movement of the laptop from beneath the victim's study desk into the suspect's clothing is therefore material to the element of taking. Evidence about the laptop's ownership and possession must accompany evidence that the item was physically removed.

The intention to possess unlawfully must be distinguished from merely moving or handling an object. The allegation that the suspect concealed the laptop and later arranged its sale is relevant because these acts may illuminate how he intended to exercise control over property belonging to the victim (Moeljatno, 2008). This interpretation remains contingent upon the reliability of statements and their consistency with available material evidence.

The suspect-determination document refers to Article 477 paragraph (1) letter f of Law Number 1 of 2023 as the provision for the alleged aggravated theft (Indonesia, 2023). The analysis also considers Article 476 on ordinary theft, the criminal procedural rules, and Law Number 2 of 2002 concerning the National Police. These provisions have distinct functions: defining the offence, governing proof and proceedings, and authorizing the police to investigate (Indonesia, 2002).

An ASUS laptop is a movable object with economic value and can therefore constitute property capable of being stolen. The case additionally requires proof that the laptop belonged to the victim or another person rather than to the suspect (Adami Chazawi, 2013). Ownership information, identifying characteristics, recovery records, and statements about its previous location can be connected to establish that element.

Ordinary theft concerns an unlawful taking without the additional statutory circumstances that distinguish an aggravated form. Theft with aggravation requires proof not only of the basic elements but also of the particular manner or circumstances relied upon, such as the alleged dismantling of a locked entrance. The presence of an aggravating circumstance must not be assumed from the laptop's value or the mere fact that the dwelling was empty (Teguh Prasetyo, 2016).

2.4. Parameters of Juridical Analysis

An unoccupied dwelling remains protected even when its owner or tenant is temporarily absent, since absence does not extinguish property rights or interests in the security of the premises. The case concerns a rented house whose rear entrance allegedly had to be forced open

before the laptop could be reached. Its temporary vacancy therefore provides factual context for the act but does not itself satisfy the statutory elements of aggravation (Moeljatno, 2008).

Modus operandi describes the manner or pattern through which the alleged offender identifies a target and carries out the act. The investigation report describes initial observation of the quiet house, an approach to the rear entrance, the use of a crowbar, and the removal of the laptop. This sequence is relevant to reconstructing how the reported theft occurred and assessing whether the act involved preparation (Abdulsyani, 1987).

The crowbar is relevant as the implement allegedly used to overcome the locked entrance, whereas the condition of the door provides a potential independent trace of forced entry. Because the suspect reportedly threw the implement into a river, investigators must distinguish what the available evidence actually establishes from what appears only in his account. Statements about the tool should therefore be assessed alongside scene observations, photographs, witness information, and any recovery or confiscation records.

An unattended home and insufficient physical security may provide an opportunity for theft, but opportunity alone does not establish an individual's guilt. Broader criminological literature also discusses economic pressures, weak neighbourhood supervision, and social circumstances as possible contextual factors (Topo Santoso and Eva Achjani Zulfa, 2010). In this case, such general explanations must remain distinct from the particular evidence used to attribute the reported act to the suspect.

The suspect's statement associates the proceeds of the reported sale with narcotics, online gambling, and ordinary living expenses. These alleged uses may help explain the background to the act, but they are not substitutes for the elements of taking, unlawful intent, and the aggravating manner (Kartini Kartono, 2014). Distinguishing motive from the offence elements prevents the legal assessment from depending on assumptions about lifestyle or economic circumstances.

3. Research Results

3.1. Legal Regulation of the Crime of Laptop Theft by Dismantling an Empty House According to Criminal Law

The reported theft concerns property removed from a residential building after alleged forced entry, a circumstance that requires more than proof that the laptop disappeared. According to the interview with IPDA Efan Hutabarat, S.H., M.H., conducted on June 5, 2026, investigators considered the unauthorized manner of entering the victim's house when identifying the alleged offence. Their assessment connected the basic elements of theft with the alleged dismantling of the locked rear door.

The investigator explained that the way the perpetrator entered the premises forms an important part of determining which theft provision to apply. Where the investigation establishes that a suspect damaged or dismantled an entrance to gain access, that fact may support the aggravating circumstance identified in the suspect-determination document. The conclusion nonetheless depends on a demonstrated connection between the forced entry, the taking, and the applicable statutory formulation (Indonesia, 2023).

The protected interests in this case include the victim's ownership of the laptop and the security of the rented residence. The alleged use of a crowbar adds a method of overcoming a physical barrier, which differs factually from taking an item already accessible in an open place. This distinction explains why the legal analysis considers both the loss of property and the alleged method used to gain entry.

In applying the offence provision, investigators must connect the taking of the laptop, its ownership, unlawful intent, and the aggravating circumstance to specific sources of evidence. The examination report describes the suspect's approach to the rear door, use of the crowbar, entry into the house, concealment of the laptop, and subsequent sale. These steps form the

factual sequence to be tested against witness statements, documentation of the door, and evidence relating to the computer (Indonesia, 2023).

The results show that the legal framework is applied through a combined examination of the offence definition and the documented *modus operandi*. The investigator's description of the importance of forced entry corresponds to the need to prove the aggravating circumstance independently of the reported loss. A coherent legal construction must state which provision was used, what facts support each element, and which proof remains dependent upon further verification.

3.2. Application of Elements of the Crime of Laptop Theft by Dismantling Empty Houses in the Case at the Indrapura Police Station

Applying the elements of the alleged theft begins with the victim's report, the missing ASUS laptop, and the condition of the rented house following the incident. These facts establish the matters to be investigated but do not individually prove the alleged offender's participation (R. Sugandhi, 1981). Their combined significance emerges when linked to testimony, physical observations, and the suspect's account.

The element of taking relates to the reported removal of the laptop from beneath the study desk and its subsequent concealment by the suspect. The element that the item belonged to another person must be supported through the victim's account and any identifying details, ownership information, or recovered property. A substantiated transfer from the victim's possession into the suspect's control is central to establishing the alleged theft (Adami Chazawi, 2013).

Unlawfulness is relevant because the suspect allegedly had neither permission to enter the rented residence nor authority to take its occupant's laptop. The reported use of a crowbar at the rear door may also support the particular manner of entry relied upon for aggravation, provided the physical condition and other evidence corroborate that account. These are separate matters requiring proof rather than conclusions automatically flowing from the missing item (Indonesia, 2023).

The sequence described in the suspect's examination report is relevant to intention because it includes inspecting the empty house, forcing the rear door, concealing the laptop, and seeking a buyer. Later concealment in a hut and sale for approximately IDR 400,000 may support the interpretation that the item was taken for unlawful possession. Investigators must nevertheless test this chronology against independently available evidence and the victim's account.

The crowbar, damage or marks at the rear door, and documents recording the laptop's sale are potentially important links between the alleged manner of entry and the reported taking. The examination report states that the tool was discarded in a river, so its recovery should not be assumed without a corresponding evidentiary record. Investigators need to identify which material objects were actually found or seized and which events are supported only by statements.

The evidence must be assessed cumulatively so that each principal component of the offence is supported by facts and no uncertainty is concealed by a general assertion of guilt. The Indrapura Police case illustrates the importance of distinguishing the taking, the ownership of the laptop, unlawful intention, and forced entry in the evidentiary analysis. Where these matters are sufficiently established, the evidence can support consideration of aggravated theft under the applicable criminal provision (Andi Hamzah, 2011).

3.3. Criminal Liability of Perpetrators of Laptop Theft by Dismantling Empty Houses Reviewed from Criminal Law

Criminal liability concerns whether a particular person may be held accountable for an offence proved against them, rather than whether property was merely reported missing. In this case, accountability requires proof of the alleged taking and aggravating circumstance as well

as the suspect's culpable connection to those acts (Roeslan Saleh, 1983). The police must accordingly distinguish an account of the incident from a legally substantiated determination of responsibility.

During the June 5, 2026 interview, IPDA Efan Hutabarat, S.H., M.H., described investigators' assessment of the relationship among the suspect's conduct, his alleged intention to take property, and the supporting evidence. The reported choice of an unoccupied house and the action of forcing the rear entrance were considered relevant to whether the conduct was deliberate. Such circumstances may indicate intention, but they still require evidentiary support.

According to the investigator's account, dismantling the door is an active step that is difficult to explain as an accidental entry in the chronology described. The suspect reportedly brought a crowbar, opened the locked door, entered the house, took the laptop, and left carrying the object. These actions provide a factual basis for examining knowledge and intention without dispensing with the necessary proof of each element.

Investigators assess criminal responsibility by comparing the suspect's explanation with the victim's statement, witness information, the condition of the premises, and available physical or documentary evidence. An admission should not stand alone where the tool, method of entry, and subsequent handling of the laptop can be checked through other sources. This comparative approach supports an objective construction of the case and the proper protection of procedural rights.

Culpability also requires consideration of the suspect's capacity for responsibility and the possible existence of a legally recognized justification or excuse. The circumstances reported in this case indicate intentional conduct, but final criminal liability cannot properly be pronounced solely on the basis of an investigator's allegation or the suspect's statement (Chairul Huda, 2006). Any assessment must identify the evidence establishing the act, its attribution, and the relevant mental element.

The alleged disposal of the crowbar and the sale of the laptop may provide additional evidence of the suspect's awareness, subject to corroboration. The motive described in the examination report, including the alleged use of proceeds for narcotics and gambling, is background rather than a substitute for establishing theft. Linking these events to the proof prevents the legal reasoning from relying exclusively on the perceived character of the accused.

The results therefore indicate that criminal liability must be grounded in proven conduct, culpability, and a reliable relationship between the suspect and the reported offence. The taking, forced entry, intention, and admissible evidence must be assessed together while respecting the accused person's procedural rights. The matter can proceed under the appropriate offence provision only when the necessary legal and evidentiary requirements are met (Indonesia, 2023).

4. Discussion

4.1. Analysis of the Legal Arrangement of the Crime of Laptop Theft by Dismantling an Empty House According to Criminal Law

The manuscript identifies Article 476 of Law Number 1 of 2023 as the provision addressing ordinary theft and Article 477 as addressing theft with aggravation (Indonesia, 2023). The legal distinction depends on the addition of an aggravating circumstance to the basic act of taking someone else's property with unlawful intent. In the Indrapura case, that additional circumstance is the alleged dismantling of a locked rear door to enter the victim's residence.

The principle of legality requires precision in both the identification of the criminal provision and its application to the facts and date of the alleged conduct. The incident is recorded as occurring on December 8, 2025, while the suspect-determination document cited in the article refers to Article 477 paragraph (1) letter f of Law Number 1 of 2023. These source details must be considered together when assessing the correct legal basis rather than allowing a general description of aggravated theft to resolve the question automatically.

A coherent legal construction must separately establish the perpetrator's taking of the laptop, its ownership by another person, and the intention to possess it unlawfully. Only after those principal elements are addressed should the method of forced entry be examined as the asserted aggravating circumstance (Teguh Prasetyo, 2016). This sequence avoids treating the damage to the door as proof of every other element of the theft.

The protection afforded to the victim's house is not reduced because the tenant or owner was absent at the time of the alleged act. Unlawful entry by overcoming a locked door is a distinct aspect of the factual circumstances and may be relevant to statutory aggravation (Adami Chazawi, 2013). Its legal significance, however, depends on the exact wording of the provision applied and the evidence supporting the asserted method.

The central implication is that the legal regulation of aggravated theft has to be read in conjunction with the investigation record and the principle of legality. An accurate decision on classification requires a documented finding concerning the laptop, the manner of entry, the suspect's intention, and the relevant temporal legal framework. This approach also prevents inconsistencies between the examination report, the suspect-determination document, and the legal explanation offered in the article.

4.2. Analysis of the Application of Elements of the Crime of Laptop Theft by Dismantling Empty Houses in the Case at the Indrapura Police Station

The act of taking is evidenced, if corroborated, by the movement of the ASUS laptop from beneath the victim's study desk into the alleged offender's possession. The object is movable property that may be owned and has economic value, while the question of ownership must be established through relevant evidence (Indonesia, 2023). These elements describe the basic taking and must be proved before the additional circumstance is applied.

For the element of unlawful possession, the report records that the suspect entered without permission, concealed the laptop in his clothing, and later arranged its sale. Those acts can support a finding of intention when the source of the laptop and the suspect's knowledge are reliably established. The victim's property rights, the lack of authorization, and the suspect's subsequent control must be connected rather than assumed from the fact of entry alone (Mahrus Ali, 2019).

The alleged aggravating element centers on the method used to open the locked rear door, not on the house simply being vacant. The investigation needs to identify any damage to the hinge, bolt, or entrance and consider whether those marks are consistent with the crowbar described in the suspect's statement. Where the crowbar was reportedly discarded, the proof must clearly distinguish the statement from any tool actually recovered (Indonesia, 2023).

The documented time of the incident is approximately 14.00 WIB on December 8, 2025, so the case should not be described as a nighttime theft. Its legal assessment must focus instead on the actual facts advanced for aggravation, notably alleged forced entry into the residence. Preserving this distinction avoids adding an unsupported circumstance to the offence analysis.

The investigation should arrange its material by element: victim ownership and loss, the transfer of possession, absence of permission, the method of entry, and identification of the person involved. Photographs of the doorway, statements, examination reports, evidence registers, and records concerning the laptop or its sale can each serve different evidentiary functions. A clear mapping of items to legal elements is more dependable than repeating the general allegation that a theft occurred.

All required offence elements and the asserted aggravating circumstance must be supported by evidence sufficient under the applicable procedure (S.R. Sianturi, 1996). If an essential element remains unsupported, a general claim that the suspect entered the house and took the laptop cannot fill the gap automatically. The application of the offence provision is consequently strongest when the findings distinguish established facts, interview assertions, and unresolved matters.

4.3. Analysis of Criminal Liability of Perpetrators of Laptop Theft by Dismantling Empty Houses Reviewed from Criminal Law

Intentionality in the alleged offence is assessed from the reported sequence of observing an empty house, forcing its rear door, taking the laptop, concealing it, and disposing of or selling it. This sequence may support the inference of a conscious decision to obtain the victim's property, provided the actions are established by reliable evidence (Indonesia, 2023). It must be considered together with the objective offence elements and not treated as a substitute for them.

The principle of legality also applies to criminal liability because punishment requires an applicable criminal provision governing the conduct at the relevant time. Investigators must identify the correct provision, demonstrate how its elements are met, and observe procedural safeguards throughout the case. The accused remains entitled to lawful investigative treatment and the presumption of innocence until liability is determined through the appropriate process.

The absence of a legally recognized justification or excuse is part of a full assessment of criminal responsibility (Teguh Prasetyo, 2016). The reported motive of obtaining funds for drugs, gambling, or everyday expenditure cannot by itself negate the unlawful nature of the alleged taking. Conversely, an allegation about the suspect's personal behaviour cannot replace proof of the offence and culpability (Mahrus Ali, 2019).

The suspect reportedly narrated the incident in chronological order, but the ability to give an account is not a conclusive legal assessment of capacity or responsibility. Investigators should compare that account with witnesses, the condition of the house, the laptop's identifying information, and any records of sale or recovery. Criminal responsibility is properly based on evidence that connects the alleged actor, the mental element, and the offence in an objective manner.

Law enforcement in this case aims to protect the victim's property while ensuring that the suspect's rights and the governing rules of proof are respected. Where the basic taking, unlawful intent, aggravating circumstance, and grounds for personal responsibility are established, proceedings may continue under the correct legal provision (Roeslan Saleh, 1983). The resulting assessment must be both substantively reasoned and procedurally accountable rather than resting on confession or suspicion alone.

5. Conclusion

The study finds that theft of a laptop from a temporarily unoccupied house may involve an aggravating circumstance when entry is allegedly obtained by dismantling a locked door. The legal classification must connect the taking of another person's property and unlawful intent to the particular aggravating method prescribed in the applicable criminal law. The condition of the dwelling, the rights of its occupant, and the alleged use of a crowbar are therefore relevant to the precise assessment of the offence.

In the Indrapura Police case, the application of offence elements depends on connecting the missing ASUS laptop, the victim's ownership, the absence of permission, the condition of the rear door, and the suspect's reported sequence of actions. Interview information from June 5, 2026 and the examination records identify the importance of witness and victim statements, scene processing, the implement allegedly used, and material evidence in establishing those facts. The proof must distinguish the basic taking from the claimed aggravation and identify any gap, particularly where an implement was reportedly discarded.

Criminal liability may be attributed only if the suspect's acts, culpability, and the required elements of the applicable offence are established through a lawful process. The account of observing the residence, opening the rear door, removing the laptop, and arranging its sale is relevant to intention, but must be assessed with corroborating evidence and consideration of responsibility and possible defences. A sound disposition therefore requires both accurate

statutory classification in light of the incident date and a coherent, rights-respecting evidentiary record.

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