Normative Analysis of Murder Case Decisions in Surabaya: Case Study Number 454/Pid.B/2024/PN

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Article Info
Received: 2025-02-01
Revised: 2025-05-30
Accepted: 2025-06-20

Keywords: *Criminal Law, Murder, Court Decisions, Defendants' Rights, Justice.*

Abstract

This study aims to analyze the application of criminal law in murder cases with a focus on the decision of case Number 454/Pid.B/2024/PN in Surabaya. This case involves the application of Articles 338 and 340 of the Criminal Code (KUHP) related to unplanned murder and premeditated murder. This study uses normative legal research methods with a legislative approach and a case approach. The results of the study show that the judge has carefully considered the existing evidence and sentenced in accordance with the applicable legal provisions. Although the defendant claimed self-defense, the judge considered that there was not enough evidence to support the claim. The impact of the verdict on the perpetrator provides a deterrent effect and serves as a warning to the public about the severe legal consequences for the crime of murder. Meanwhile, although the victim's family is satisfied with the court's decision, they still feel a loss that cannot be replaced by any punishment. This study concludes that even though the judicial process has been carried out in accordance with the applicable procedures, there is still room for improvement in terms of the time given to the defense and attention to the psychological condition of the perpetrator.

I. Introduction

Court decisions in criminal cases, particularly murder cases, are always interesting to analyze because they concern legal certainty, justice, and the protection of human rights. Murder cases in Indonesia, as reflected in case No. 454/Pid.B/2024/PN in Surabaya, reflect how criminal law is applied within the existing social and cultural context. This case also provides insight into how the criminal justice system carries out the judicial process in an effort to achieve justice for victims and suspects (Kaemirawati et al., 2025).

Murder, as an act involving the loss of life, has far-reaching social impacts, including on the victim, the victim's family, the community, and even the perpetrator and their family. In this context, criminal law plays a role in providing learning and a deterrent effect for society. Therefore, every judicial process involving murder must be conducted fairly and professionally, prioritizing the principles of justice, legal certainty, and expediency (Irawan et al., 2022).

This study aims to conduct a normative analysis of the verdict in a murder case that occurred in Surabaya, focusing on case study No. 454/Pid.B/2024/PN. This normative analysis will be conducted by examining the legal considerations used by the judge in issuing the verdict, as well as the application of applicable legal norms, both from a substantive and procedural perspective. This is important to assess the extent to which the verdict reflects the principles of justice and legal certainty in the Indonesian criminal justice system (Rafika et al., 2025).

This murder case in Surabaya involves various factors that require further analysis, such as the socio-economic background of the perpetrator and victim, the motive for the murder, and other factors that may influence the legal process and the verdict. In this case, the Criminal Code serves as the primary reference for analyzing how its articles are applied in this case. One of the main questions this study seeks to answer is whether the court's decision has properly considered all relevant legal aspects, both those related to the murder itself and the defendant's rights (Wiratama et al., 2023).

Furthermore, this study will map the steps taken by law enforcement officials from the investigation stage, prosecution, to trial. This process will be analyzed in detail to identify any procedural errors or violations of the defendant's rights during the legal process. This study will also discuss the judge's considerations in determining the type of sentence imposed, whether it complies with the provisions of the Criminal Code, and whether it provides a deterrent effect for perpetrators (Tatang, 2024).

As part of the broader criminal justice system, the verdict in this murder case must reflect the evolving Indonesian legal system, which increasingly demands transparency, objectivity, and recognition of human rights. Therefore, this study

aims to provide an overview of how these legal principles are implemented in the verdict in the murder case in Surabaya, as well as to provide constructive suggestions for improving the criminal justice system in Indonesia (Nasera et al., 2025) .

Thus, this research will not only provide an understanding of the murder cases in Surabaya, but can also be a contribution in developing legal science in Indonesia, especially in the application of criminal law that is oriented towards justice and legal certainty (Rachmad, 2021).

Formulation of the problem

This study aims to analyze the verdict in a murder case that occurred in Surabaya, focusing on case number 454/Pid.B/2024/PN. To achieve this objective, the research problem formulation in this study includes several things that will be analyzed in depth. First, this study will examine the legal considerations used by the judge in issuing the verdict in the murder case. Second, this study will also assess the extent to which the application of the articles in the Criminal Code (KUHP) in this case can reflect the principles of justice, legal certainty, and benefit to society. In addition, this study will identify factors that influence the judge's decision in determining the type of sentence imposed on the perpetrator. Next, this study will assess whether there were procedural errors or violations of the defendant's rights during the legal process, as well as their impact on the integrity of the justice system (Wicaksono & Kusriyah, 2018). Finally, this study will evaluate the effectiveness and impact of the verdict on the perpetrator, the victim, and the community, as well as the implications that can be taken for improving the criminal justice system in Indonesia. This research problem formulation aims to provide deeper insight into the application of the law in murder cases, as well as provide recommendations for improving the existing legal system.

Purpose and Use

This study aims to normatively analyze the verdict in a murder case in Surabaya with case number 454/Pid.B/2024/PN. The main objective of this study is to understand the judge's legal considerations in issuing the verdict, as well as to assess the application of articles in the Criminal Code (KUHP) in the murder case. This study also aims to identify factors that influence the judge's decision in determining the type of sentence, as well as evaluate whether there were procedural errors or violations of the defendant's rights during the legal process. Furthermore, this study aims to analyze the impact of the verdict on the perpetrator, victim, and society, and provide recommendations regarding the improvement of the criminal justice system in Indonesia (Pritchard et al., 2018).

The usefulness of this research is significant both academically and practically.

Academically, this research is expected to enrich the criminal law literature, particularly in terms of the application of the principles of justice, legal certainty, and expediency in court decisions. This research also aims to provide insight for students, legal practitioners, and researchers interested in the study of murder cases and the application of the Criminal Code in judicial practice. Practically, the results of this research are expected to contribute to the Indonesian justice system, by providing input for judges and law enforcement officials in dealing with similar cases, as well as providing recommendations for improving criminal justice procedures to be more transparent, efficient, and fair. Thus, this research is expected to play a role in improving the quality of law enforcement in Indonesia.

Literature review

1. Murder in Indonesian Criminal Law

Murder is regulated in the Criminal Code (KUHP), specifically Article 338, which regulates unplanned murder, and Article 340, which regulates premeditated murder. The crime of murder is considered an act that violates a person's right to life, thus requiring serious handling in the criminal justice system. Hans Gross's theory of crime, which emphasizes the elements of guilt and unlawful consequences, is an important basis in analyzing this case. This study will examine whether the application of the articles in the Criminal Code is in accordance with the facts found in the murder case (Putra & Soediro, 2025).

2. Judge's Considerations in Handing Down a Verdict

In analyzing court decisions, it is important to examine how judges consider the facts revealed during the trial process and relevant legal aspects. According to several legal experts, judges' decisions in murder cases should reflect the principles of justice, legal certainty, and expediency. Therefore, this study will assess how the judges in case No. 454/Pid.B/2024/PN provided legal considerations in issuing their decisions, and whether the decisions reflected compliance with these principles (Firmansyah, 2025).

3. Rights of the Defendant in the Judicial Process

A fair trial must guarantee the rights of the accused, including the right to

adequate legal representation and the right to an objective decision. In murder cases, it is crucial to ensure that the accused is given a fair opportunity to defend themselves. This study will examine whether the accused's rights were respected during the trial in this case, as well as whether there were any violations of legal procedures that could affect the fairness of the verdict (Prasetyawardani & Isnawati, 2021).

2. Research Method

The research method used in this study is a normative research method with a descriptive analytical approach. This study aims to analyze the application of law in murder cases, specifically in case No. 454/Pid.B/2024/PN that occurred in Surabaya. As a type of normative research, the main focus of this study is the study of laws and regulations, court decisions, and legal doctrines relevant to the murder case. The approaches used include a statute approach to examine articles in the Criminal Code (KUHP) and other related laws, and a case approach to analyze the judge's considerations in issuing a verdict in this case (Efendi & Rijadi, 2022) .

The data sources used in this study consist of primary and secondary data. The primary data used is the court decision in case No. 454/Pid.B/2024/PN, obtained from the Surabaya District Court or other official publications. Meanwhile, secondary data was obtained from relevant literature such as law books, scientific journals, articles, and other legal documents that provide insight into criminal law theory and the application of law in murder cases in Indonesia. Data collection was carried out through document studies to obtain information related to court decisions and literature studies to explore legal theories that underlie the analysis of this case (Hasibuan et al., 2023).

The data analysis technique used is qualitative analysis. Data obtained from document and literature studies are analyzed descriptively and analytically to assess

how legal norms are applied in court decisions, identify factors that influence judges' decisions, and formulate arguments regarding the fairness and conformity of the decision to applicable legal provisions. This research is limited to an analysis of the verdict in the murder case and does not cover other aspects outside this case. Thus, it is hoped that this research can provide a deeper understanding of the application of law in murder cases and provide recommendations for improving the criminal justice system in Indonesia (Saleh & Saleh, 2022).

3. Results and Discussion

Results

This section presents the analysis of the verdict in murder case No. 454/Pid.B/2024/PN in Surabaya, as well as a discussion of the application of criminal law, the judge's considerations, and the decision's impact on the perpetrator, victim, and the community. These results and discussion are based on data obtained through a study of relevant documents and literature (Emaliawati et al., 2022).

A. Application of Criminal Law in Murder Cases

Based on the analysis of the court decision in case No. 454/Pid.B/2024/PN, it can be concluded that the judge correctly used the articles in the Criminal Code (KUHP) to try this murder case. The most relevant articles to this case are Article 338 of the Criminal Code, which regulates murder committed without prior planning, and Article 340 of the Criminal Code, which regulates premeditated murder. These articles serve as the primary basis for the judge in determining the type of crime committed by the defendant. In this case, the judge focused on the element of malicious intent (mens rea) of the perpetrator, which was proven through evidence presented during the trial, such as eyewitness testimony, physical evidence, and supporting investigative results (Widodo & Faridah, 2021) .

The judge's considerations in issuing this verdict were based on a thorough

analysis of the available evidence, as well as proof that the perpetrator had no premeditation to commit the murder. Although the defendant claimed self-defense, a common argument in murder cases, the judge deemed there was insufficient evidence to support this claim. The defendant's self-defense was deemed invalid because it was not supported by clear facts and did not correspond to the context of the incident. Therefore, the judge ruled that his actions fulfilled the elements of murder without premeditation as stipulated in Article 338 of the Criminal Code (Marthin et al., 2025) .

The application of the articles in the Criminal Code reflects the judicial system's efforts to uphold the principle of justice, while taking into account the social and psychological impacts of the defendant's actions. Murder committed without premeditation remains a highly detrimental act and endangers a person's life. In this case, the judge's considerations also include the deterrent effect that must be given to the perpetrator to prevent similar crimes from occurring in the future. Furthermore, the judge's decision to impose a sentence based on applicable regulations also reflects a commitment to the interests of the victim and the community, who expect legal certainty and protection of the right to life for every individual. As a result, the application of criminal law in this case not only considers technical legal aspects but also involves the values of justice and the protection of human rights **.**

B. Judge's Considerations in Handing Down a Verdict

In handing down a verdict against the defendant, the judge considered various factors relevant to the case to ensure that the decision was in line with the principles of justice. These factors included the perpetrator's motives, the social impact of his actions, and the perpetrator's track record in social life. The judge examined whether the defendant's actions were driven by external factors such as social pressure, poverty, or environmental influences, which could have influenced his actions. Although the defendant came from a disadvantaged social background, the judge

considered that this did not justify his actions. Any act of murder, regardless of the perpetrator's social background, is still considered a serious violation of a person's right to life and has the potential to cause widespread damage to society (Muhammad et al., 2025) .

The judge also paid close attention to the element of malicious intent (mens rea) in the defendant's actions. In this case, the judge assessed that the defendant had malicious intent in committing the murder, as proven by the evidence presented during the trial. Therefore, the judge ruled that the defendant's actions constituted a serious crime that cannot be taken lightly. Although it is possible that external factors, such as psychological disorders or emotional stress, influenced the defendant's decision at the time of the incident, the judge remained firm in the fact that the act was committed intentionally and without legitimate reason (Tumanggor et al., 2019).. The decision to impose a severe sentence demonstrates the justice system's seriousness in providing a deterrent effect on perpetrators, with the aim of preventing the recurrence of similar crimes and ensuring protection for society (Sari & Harefa, 2023).

However, while the judge carefully considered various relevant factors, some argued that the judge should have paid more attention to external factors that might have influenced the perpetrator's psychological state at the time of the crime. Many argued that psychological factors, such as mental illness or emotional trauma, could be important considerations in determining the degree of culpability and the sentence imposed. Although in this case the judge did not consider these factors sufficient justification for a reduced sentence, this debate reflects the importance of a more in-depth evaluation of the perpetrator's psychological state in criminal cases involving violence. Therefore, while the judge's decision reflected an effort to provide justice, there is still room for further development in terms of considering the perpetrator's psychological state in each case (Gumilar et al., 2020).

C. Analysis of the Rights of the Defendant in the Judicial Process

This study also focuses on analyzing whether the defendant's rights were respected and guaranteed during the trial. Based on the analysis of the trial, it can be concluded that, in general, the defendant was given sufficient opportunity to defend himself through legitimate legal representation and in accordance with applicable provisions (Feronica et al., 2022). The defendant was accompanied by legal counsel who ensured that his rights in the trial process, such as the right to a fair defense, the right to be accompanied by a lawyer, and the right to appeal the verdict, were properly fulfilled. The judge also provided space for the defendant to freely convey his defense, in accordance with the principles of open and transparent justice (Syafithri & Mahardhika, 2024).

Furthermore, in accordance with the provisions of Law Number 8 of 1981 concerning Criminal Procedure Code (KUHAP), which regulates the procedures for administering criminal justice, the accused is given the right to be present at the trial, to provide testimony, and to present witnesses and evidence to support his defense. All of these rights were exercised in accordance with applicable procedures, indicating that the principle of due process of law or fair legal process has been applied in this case. Thus, it can be said that the accused's rights have generally been respected and protected throughout the trial process, as stipulated in the law (Asnawi & Mulyana, 2018).

However, despite this, there have been some criticisms regarding the decision-making procedures, particularly regarding the maximum amount of time given to defendants to present testimony and defense. Some argue that the time allotted to defendants to present testimony or defense is too short, which can affect the quality and depth of the defense presented. Defendants, especially those without legal experience, often feel rushed in presenting their side of the case, which may impact

the quality of the judge's decision. In this context, a longer period for presenting defense and sufficient time to consult with legal counsel may further support the achievement of a more accurate and fair decision.

Nevertheless, overall, the trial process conducted at the Surabaya District Court in this case can be considered to have met the standards of legal procedure applicable in Indonesia. The judge and other law enforcement officials appeared to have made every effort to ensure a fair and transparent process. Therefore, while there is room for improvement in terms of the time allotted to the defendant, overall, the proceedings reflected the implementation of the law in accordance with applicable regulations (Risaputra & Gregorius, 2022).

D. Impact of the Decision on Perpetrators, Victims, and Society

In terms of impact, the verdict against the perpetrator certainly has a strong deterrent effect, both for the perpetrator himself and for the wider community. The sentence imposed is expected to serve as a stern warning to anyone who intends to commit similar crimes, especially murder, which threatens an individual's right to life. With a severe sentence, the public can see that Indonesian law does not tolerate acts of violence that threaten someone's life. This sends an important message that any action that endangers the lives of others will be subject to appropriate punishment. This decision is expected to create a deterrent effect for perpetrators of crime, while also warning the public that criminal acts will not go unpunished (Dedi Romadhan et al., 2021).

However, the impact on the victim's family is also significant and cannot be ignored. In this case, while the victim's family is satisfied with the court's decision to sentence the perpetrator, they recognize that no punishment can bring back the life of the person they lost. Their profound sense of loss remains, and while the verdict provides legal justice, the emotional wounds left by the tragedy are difficult to heal.

Nevertheless, they feel that the transparent legal process and the verdict provide a measure of satisfaction, as they feel the perpetrator has finally been held accountable for his actions, even if that does not alleviate their suffering.

From the public's perspective, this ruling demonstrates that justice can be achieved through a transparent and fair legal process. The public can see that the criminal justice process is conducted in accordance with applicable legal principles, and that justice can be upheld despite the challenges and difficulties that often arise in every criminal case. This court decision can also increase public confidence in the justice system, as they can see that although the legal process can sometimes be time-consuming and involve various considerations, the final outcome ensures justice for all parties involved. Furthermore, this ruling demonstrates to the public that the law does not discriminate based on social status or background of perpetrators, and that crimes that harm the wider community will always receive serious attention from the justice system (Anwar et al., 2021).

Overall, while the impact of this verdict cannot completely erase the loss experienced by the victim's family, the court's decision provides a sense of justice and protection for the right to life. It also serves to remind the public that every criminal act, especially murder, carries serious legal consequences and will not go unpunished. Thus, this decision not only serves as a deterrent to the perpetrator, but also provides an important lesson for the public about the importance of respecting the rights of others and living a responsible life **.**

E. Recommendations for Improving the Judicial System

Based on the analysis, several recommendations can be made for improving the criminal justice system in Indonesia. First, there is a need for increased training for judges to pay more attention to the psychological and social factors of the perpetrator in each murder case. Second, increasing transparency in the trial process and

providing sufficient time for the defendant to present their defense can improve the quality of fairer decisions. Third, there is a need to improve access to legal services for defendants who cannot afford it, to ensure a fairer trial process for all parties (Rahmat, 2025) .

Overall, the court's decision in murder case No. 454/Pid.B/2024/PN in Surabaya reflects the application of the law in accordance with the provisions of the Criminal Code, with careful consideration by the judge in determining the type of sentence. Nevertheless, there is still room for improvement in judicial procedures, particularly in respecting the rights of the accused and increasing transparency in the legal process.

Discussion

In this discussion, the results of the analysis of the verdict in murder case Number 454/Pid.B/2024/PN show that the application of articles in the Criminal Code (KUHP) is in accordance with the facts revealed during the trial. This case refers to Article 338 of the Criminal Code which regulates murder without premeditation. Although the defendant claimed self-defense, the judge considered there was no evidence to support this claim, so the verdict remained on murder without premeditation. The application of this article is considered appropriate because it is in accordance with the elements found in the perpetrator's actions (Sihaloho et al., 2019).

The judge's considerations in handing down a sentence include factors such as the perpetrator's malicious intent, the social impact, and the defendant's social background. Although the defendant came from a low-income family, the judge still ruled that the murder should be punished severely to provide a deterrent effect and protect society. Some argue that the judge should have paid more attention to the defendant's psychological factors when considering the sentence, particularly regarding mental stress or psychological problems that could influence his actions (Fernando et al., 2024) .

In terms of respecting the defendant's rights, the judicial process in this case complied with applicable legal procedures. The defendant was given the opportunity to defend himself with legal counsel, and his rights under due process were respected, including the right to appeal. However, there has been criticism regarding the length of time given to the defendant to present his defense. Some have suggested that the judicial system should allow more time to ensure a more comprehensive defense (Putri, 2025).

The verdict's impact on the perpetrator, victim, and society is also significant. The sentence imposed is expected to deter the perpetrator and serve as a warning to the public that murder will be met with appropriate punishment. Although the victim's family feels that justice has been served, the sense of loss remains and cannot be replaced by any punishment. Overall, this verdict illustrates that Indonesia's criminal justice system functions to maintain social order, but there is still room for improvement in respecting the rights of the accused and increasing the transparency of the judicial process (Hukum et al., 2025).

Based on this analysis, several recommendations are suggested for improving the criminal justice system, such as paying attention to the psychological factors of perpetrators, allowing more time for the defense of defendants, and increasing transparency in every judicial process. With these steps, it is hoped that the criminal justice system in Indonesia can achieve more equitable and effective justice (Wahyuningsih, 2016).

4. Conclusion

Based on the results of research on the verdict in murder case No. 454/Pid.B/2024/PN in Surabaya, it can be concluded that the judicial process in this case was carried out in accordance with the applicable legal provisions in the Criminal Code (KUHP), particularly in the application of articles governing murder. The judge

in this case considered various factors, including the perpetrator's malicious intent (mens rea), the social impact of his actions, as well as the principles of justice, legal certainty, and expediency in issuing the verdict. Although the verdict reflects efforts to provide a deterrent effect on the perpetrator and protect the community, there are still some criticisms regarding respect for the defendant's rights and the duration of the defendant's defense. The judicial process is expected to be more transparent and provide a fairer opportunity for the defendant to defend himself. The impact of this verdict on the perpetrator, the victim, and the community demonstrates that the law can be an effective tool for upholding justice and protecting the right to life of individuals. However, to improve the quality of the criminal justice system in Indonesia, it is recommended that judges pay more attention to the psychological and social factors of the perpetrator and provide sufficient time for the defendant to present a defense. Overall, this study provides a clear picture of the application of law in murder cases in Indonesia and suggests improvements in judicial procedures to achieve better justice.

Suggestion

Based on the analysis of the verdict in murder case No. 454/Pid.B/2024/PN in Surabaya, several suggestions can be made to improve the quality of the criminal justice system in Indonesia. First, judges need to pay more attention to the psychological factors of the defendant in every murder case, particularly regarding the mental and emotional state of the perpetrator at the time of the crime. This is crucial to ensure that the verdicts rendered reflect comprehensive justice, taking into account any mental disorders or psychological stress that may influence the defendant's behavior. One solution to this is to involve forensic psychologists in the trial process.

Second, providing sufficient time for defendants to present a comprehensive

defense is crucial, especially in murder cases, which often involve complex emotional and psychological factors. Adequate time will allow defendants to present facts that could mitigate or influence the judge's decision, resulting in a more informed and just decision. Furthermore, increasing transparency in the judicial process and access to legal services is also crucial. The public needs a better understanding of how the law is applied, and defendants, especially those from lower-middle-class backgrounds, must have fair access to qualified legal counsel. This way, the judicial process can better ensure fairness for all parties involved.

Ongoing education and training for judges is also essential to ensure they can consider the various factors influencing their decisions, such as the proper application of criminal law, human rights, and the latest developments in forensic psychology. This will help judges make more informed decisions and avoid errors of judgment in complex cases such as murder. Finally, a restorative justice approach can be considered as an alternative in some murder cases, particularly those involving social or psychological factors. This approach can involve mediation between the perpetrator and the victim's family to find a resolution that prioritizes restoring relationships while maintaining justice. With these steps, Indonesia's criminal justice system can be more developed, fair, and effective in enforcing the law and protecting the rights of all parties involved.

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