

# **Analisis Yuridis Tindak Pidana Pengeroyokan Yang Menyebabkan Kematian Oleh Pelaku Anak: Studi Putusan No.1/Pid.Sus-Anak/2024/Pn Mme**

Gabriela L. Felisitha<sup>1</sup>, Ghina Salsabila Aven<sup>2</sup>

## **INTISARI**

Anak sebagai individu yang sedang berada dalam masa tumbuh kembang memiliki hak atas perlindungan hukum, termasuk ketika berhadapan dengan sistem peradilan pidana. Namun, keterlibatan anak sebagai pelaku tindak pidana menimbulkan persoalan khusus, seperti yang terjadi dalam Putusan No. 1/Pid.Sus-Anak/2024/PN Mme terkait kasus pengeroyokan yang menyebabkan kematian. Penelitian ini memfokuskan pada pertimbangan hakim dalam menjatuhkan pidana dan sejauh mana asas keadilan restoratif diterapkan sesuai dengan Undang-Undang Sistem Peradilan Pidana Anak.

Dalam penelitian ini metode yang digunakan adalah penelitian hukum normatif dengan pendekatan perundang-undangan, pendekatan kasus, dan pendekatan konseptual. Studi ini menganalisis Putusan No. 1/Pid.Sus-Anak/2024/PN Mme dengan menelaah norma positif yang relevan serta data yang diperoleh melalui studi kepustakaan, yang dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa hakim lebih menitikberatkan pada pembuktian unsur tindak pidana sesuai Pasal 170 ayat (2) ke-3 KUHP tanpa mengoptimalkan pendekatan keadilan restoratif. Meskipun faktor usia dan perdamaian diperhitungkan, proses diversi tidak dijalankan secara menyeluruh, sehingga pidana anak belum mencerminkan prinsip pemulihan yang diamanatkan UU SPPA. Penegak hukum perlu memperkuat pendekatan rehabilitatif dengan memanfaatkan litmas dan analisis psikososial secara optimal, serta mengedepankan sanksi non-pemenjaraan. Penerapan keadilan restoratif harus diinternalisasi melalui diversi dan mediasi penal dengan dukungan kolaborasi lintas lembaga dan infrastruktur hukum yang memadai.

Kata kunci: *Tindak pidana, Pengeroyokan, Pelaku Anak, Putusan No.1/Pid.Sus-Anak/2024/Pn Mme.*

---

<sup>1</sup> Mahasiswa Prodi Hukum (S-1) Universitas Jenderal Achmad Yani Yogyakarta

<sup>2</sup> Dosen Prodi Hukum (S-1) Universitas Jenderal Achmad Yani Yogyakarta

# **Legal Analysis Of Criminal Assault Resulting In Death By A Child Perpetrator: Study Of Decision No. 1/Pid.Sus-Anak/2024/Pn Mme**

Gabriela L. Felisitha<sup>3</sup>, Ghina Salsabila Aven<sup>4</sup>

## **ABSTRACT**

Children, as individuals who are still growing and developing, have the right to legal protection, including when dealing with the criminal justice system. However, the involvement of children as perpetrators of criminal acts raises specific issues, such as in Decision No. 1/Pid.Sus-Anak/2024/PN Mme regarding a case of assault resulting in death. This study focuses on the judge's considerations in imposing punishment and to what extent the principle of restorative justice is applied in accordance with the Child Criminal Justice System Act.

This study uses a normative legal research method with a legislative approach, a case approach, and a conceptual approach. It analyzes Decision No. 1/Pid.Sus-Anak/2024/PN Mme by examining relevant positive norms and data obtained through literature study, which is analyzed qualitatively.

The results of the study indicate that judges place greater emphasis on proving the elements of a criminal offense in accordance with Article 170(2)(3) of the Criminal Code without fully utilizing a restorative justice approach. Although factors such as age and reconciliation are considered, the diversion process is not fully implemented, resulting in juvenile sentencing that does not reflect the restorative principles mandated by the Child Protection Act. Law enforcement officials need to strengthen the rehabilitative approach by optimally utilizing legal aid and psychosocial analysis, and prioritizing non-custodial sanctions. The application of restorative justice must be internalized through diversion and penal mediation with the support of inter-agency collaboration and adequate legal infrastructure.

**Keywords:** *Criminal offense, Assault, Juvenile offender, Decision No. 1/Pid.Sus-Anak/2024/Pn Mme*

---

<sup>3</sup> Student of Law Study Program (S-1) Jenderal Achmad Yani University, Yogyakarta

<sup>4</sup> Lecturer of Law Study Program (S-1) Jenderal Achmad Yani University, Yogyakarta