

Tinjauan yuridis terhadap penanggulangan tindak kekerasan menggunakan bahan peledak dengan UU No.12 DRT tahun 1951 tentang senjata api : suatu studi di Pengadilan Negeri Yogyakarta

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Abstrak

This research aimed at describing the relationship between provisions on explosive substance and the criminal court's sentence dealing with explosive substance in Yogyakarta State Court by using No. 12/1951 Emergency Law on Firearm within the period of 2001-2003. After analysing the criminal court's sentence No. 10/Pid.B/2002/PN.YK, the only criminal court's sentence related to explosive substance period, the researcher concluded that the judge did not implement No. 12/1951 Emergency Law on Firearm well based on the fact that the judge did not elaborate things that aggravated the accused i.e. the act accused trying to fire the explosive substance was very dangerous to the society. The judge should identify the crime committed by the accused as "trying to use the explosive substance" not only as "without right owning and carrying explosive substance". By such an identification there was no need for the judge to decrease the penal sanction prosecuted by public prosecutor.