

Legal Analysis of The Proof Strength of Visum Et Repertum in Cases of Assault Resulting in Death (Decision Number 1294/2025Pid.B/PN Mdn)

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Abstract. *Criminal evidence is crucial for justice, where Visum Et Repertum as expert testimony (Article 184 paragraph 1 of the Criminal Procedure Code) proves the causal relationship between the assault and the victim's death. This case involves defendants Revan Rainsyah and Hanif who committed assault together against Fajar Marlaba Khudri on May 2, 2025 in Medan, using sharp weapons until the victim died. The research is normative, prescriptive, and analytical juridical, examining positive legal norms, court decisions, and theories such as negative wettelijk bewijsstelsel and presumption of innocence. The approach includes a statute approach (Criminal Procedure Code Articles 184-188), a case approach (analysis of decisions), and a conceptual approach (doctrine of evidence). Visum Et Repertum Number 45 / VER / V / 2025 / RS Bhayangkara (dr. Surjit Singh, Sp.FK) proves head lacerations, skull fractures, and brain hemorrhages on the victim's body, strengthening witness testimony, clues, and forming the judge's conviction. The judge fulfilled the elements of Article 354 paragraph 2 in conjunction with Article 55 paragraph 1 of the Criminal Code, imposing a sentence of 7 years and 6 months in prison for each defendant, taking into account aggravating factors (victim's death, public unrest) and mitigating factors (regret, zero recidivism).*

Keywords: *Criminal; Evidence; Procedure; Visum Et Repertum.*

1. Introduction

Evidence plays a crucial role in the criminal justice process, as it determines whether the defendant has committed the crime charged by the prosecutor. The achievement of truth and justice by law enforcement officials is largely determined by their ability to obtain and present valid evidence to support their convictions against the perpetrator (Neli Fitria, 2014).

To determine whether the perpetrator of a crime is proven to have committed a prohibited act, evidence is required as regulated in Article 184 paragraph (1) of

Law No. 8 of 1981 concerning the Criminal Procedure Code, hereinafter referred to as the Criminal Procedure Code. As stated in Article 184 paragraph 1 of the Criminal Procedure Code, valid evidence is witness testimony, expert testimony, letters, clues, and the defendant's testimony.

- a. Witness testimony is an account of a criminal incident that the witness personally heard, saw, or experienced, stating the reasons and knowledge thereof. Witness testimony is further regulated in Article 185 of the Criminal Procedure Code.
- b. Expert testimony is information provided by a person who has special expertise regarding matters required to clarify a criminal case for the purposes of an examination (Article 1 number 28 of the Criminal Procedure Code) such as a *Visum Et Repertum* made by a Forensic Specialist Doctor.
- c. Letters, the legal basis for written evidence is stated in Article 187 of the Criminal Procedure Code, which basically states that the letters referred to in this article are official letters made by authorized public officials. In order for the official letter to be valid as evidence in court, it must contain information about events or circumstances heard, seen, and experienced by the official, and clearly explain the reasons for making the statement.
- d. Clues are obtained from witness statements, letters, and statements from the accused (Article 188 of the Criminal Procedure Code). This means that there is a connection or correspondence between the act, incident, or situation and the crime being tried, indicating that a crime has occurred and who the perpetrator is (Mega Tiurmaida Simanullang, 2022).
- e. Expert testimony is a relatively new concept in Indonesian Criminal Procedure Law. Its presence reflects the recognition that advances in science and technology make it impossible for judges to master all fields of knowledge, necessitating the assistance of those with specialized expertise. The role of expert testimony in criminal proceedings is crucial to examine, particularly during the investigation stage.

This matter is regulated in Article 1120 of the Criminal Procedure Code, which states that:

- a. If the investigator deems it necessary, he may request the opinion of an expert or someone with certain expertise.
- b. The expert is required to take an oath or make a promise before the investigator to provide truthful information according to his knowledge, except if due to honor, profession, or position he is obliged to maintain confidentiality, in which case he has the right to refuse to provide the requested information.

A medical report in the form of a *Visum Let Repertum* is a written report prepared by a doctor based on an official and written request from an investigator regarding the results of a medical examination of a person for the judge's consideration in

deciding a case of assault resulting in death. The report contains medical findings and their interpretation, is made under oath, and is used for the purposes of the judicial process. One of the cases that cannot be separated from the existence of a *Visum Iet Repertum* is the criminal act of abuse resulting in death. Letymologically, the term abuse comes from the word "abuse" which means cruel action or treatment that causes suffering, such as torture.

Related to the role of doctors in helping investigators provide medical explanations regarding the condition of victims of abuse, this is part of the efforts of law enforcement to obtain evidence in the form of signs or wounds on the victim's body that indicate that the criminal act of abuse has occurred. In order to serve the interests of the trial process in the judge's considerations in deciding cases of abuse resulting in death. The medical statement from the doctor is then made in writing in the form of an official report on the results of the examination known as a medical report.

The role of the post-mortem examination in the investigation stage is very important because it functions to assist law enforcement officers and judges in considering an act in revealing, explaining, and clarifying the facts of a criminal act so that the incident becomes clearer and easier to understand legally.

Based on Decision Number 11294/Pid.B/2025/PN IMdn, it is known that the defendant Revan Rainsyah together with several of his colleagues have committed the crime of assault together against the victim Fajar Marlaba Khudri. The act was committed with the same will and cooperation among the perpetrators in committing physical violence against the victim. As a result of the violent act carried out collectively, the victim suffered serious injuries which then resulted in death. Therefore, the actions of the defendants not only fulfill the elements of the crime of assault, but also cause more serious consequences in the form of the loss of a person's life. Therefore, the incident is qualified as assault resulting in death, where there is a causal relationship between the actions of the perpetrators and the consequences caused to the victim.

2. Research Methods

The type of research used in the research on Decision Number 1294/Pid.B/PN Mdn is normative legal, namely research that examines positive legal norms contained in laws and regulations, court decisions, and doctrines, legal principles and legal theories. Linear research is prescriptive and analytical in nature, because it aims to provide legal arguments regarding the application of criminal procedural law in cases of assault resulting in death and to assess its compliance with the provisions of the Criminal Procedure Code regarding the judge's decision and to answer several problems in the decision. In line research, several approaches are used, namely:

2.1 Statutory Approach

The statutory approach is carried out by examining legal provisions related to the evidentiary process in criminal cases, in particular: Law Number 18 of 1981 concerning the Criminal Procedure Code (KUHP), the evidentiary system according to the KUHP, such as The valid evidence, the position of the *Visum let Repertum*, witness statements, and the judge's confidence in making a decision.

2.2 Case Approach

The case approach is carried out by analyzing: Medan District Court Decision Number 1294/Pid.B/2025/PN IMdn, the chronology of the assault incident, the role of the defendant Revan Rainsyah and other perpetrators, the evidence presented in the trial, the judge's considerations (*ratio decidendi*), the application of the articles of the Criminal Code and the Criminal Procedure Code, and the judge's basis for declaring the defendant guilty.

The conceptual approach is conducted by examining legal theories and doctrines related to: the theory of proof (negative legal system), the presumption of innocence, the due process law, the theory of criminal responsibility, and the concept of assault resulting in death. The conceptual approach is used as the basis for analysis in assessing the judge's considerations in decisions.

3. Results and Discussion

Strength of Evidence of the Post-mortem Report in the Case of Assault Causing Death in the Medan District Court Decision Number 1294/Pid.B/2025/PN Mdn

Evidence plays a very important role in the trial process, because it is through this stage that the defendant's accusation is proven or not. Essentially, evidence is a set of rules that regulate the procedures and limitations that are valid according to law in assessing and determining a person's guilt. These provisions also cover the types of evidence that are permitted to be used by a judge in considering a case. Therefore, the process of establishing evidence in court must be carried out in accordance with applicable legal provisions and must not be carried out arbitrarily or without a clear legal basis. The legal basis for establishing evidence in the criminal justice system in Indonesia is regulated in Law Number 18 of 1981 concerning Criminal Procedure Law, which is the main guideline in the process of examining criminal cases in court. In the law, it is emphasized that the judge can only assess and consider the types of evidence that have been determined in a limited manner by statutory regulations. The provisions regarding the types of valid evidence are regulated in Article 1184 paragraph 1 (1) of the Criminal Procedure Code, which states that valid evidence consists of witness statements, expert statements, letters, clues, and statements from the defendant.

These provisions indicate that the process of providing evidence in criminal cases cannot be carried out freely without limits, but must be guided by the types of evidence that have been determined by law. In making a decision, the judge must

carefully, objectively, and based on the applicable legal provisions to consider the evidence presented in the trial. By limiting the types of evidence, the criminal procedure system aims to guarantee legal certainty and protect the rights of the accused so that there is no arbitrariness in the law enforcement process. Based on the provisions in Law Number 18 of 1981 concerning Criminal Procedure Law, in particular Article 184 paragraph 1(1) of the Criminal Procedure Code, it can be understood that evidence is the most crucial stage in the criminal trial process. Through evidence based on valid evidence according to the law, the judge can objectively assess whether the defendant is proven guilty or not guilty of his/her actions.

The judge's confidence in handing down a criminal verdict is built on the results of the examination of the evidence submitted and tested in the trial. Likewise, in cases related to injuries to the human body, the judge's assessment is still based on the evidence revealed during the trial process. To determine the time of the injury and to assess whether the injury is the result of a crime, evidence is needed that can be legally accounted for. One of the ways of providing evidence in a criminal case is by requesting the help of a doctor as a witness, who can prepare a written statement in the form of a post-mortem or repertum and give a statement at the trial as an expert witness. This line shows that the Visum and Repertum have an important role in helping investigators, public prosecutors, and judges to explain issues that can only be analyzed through medical expertise.

In addition, the Visum Et Repertum also functions in determining the causal relationship (causality) between an act and the impact it causes, whether in the form of injuries to the body or the death of a person. If these consequences appear, it is reasonable to suspect that a crime has occurred. Based on the results of the forensic examination, it can be determined whether the injuries or health problems experienced by a person were truly caused by a criminal act or not. Chronology of the case:

Based on Decision Number 1294/Pid.B/2025/PN IMDn issued by the Medan District Court, the incident began on Thursday, May 1, 2025, at approximately 11:30 PM WIB, when the Warbuji Group (Warung Bu Jizah) sent a message via Instagram to the Independent Youth Group (KRI) inviting them to engage in a brawl. The invitation was agreed to, and then one of the group members ordered them to prepare sharp weapons and gather them around the tower. Weapons in the form of sickles, combing machetes (machetes and saws), and corkscrews were then distributed among the members who had gathered on Aluminum Street 1, Bangun Alley, Tanjung Mulia Subdistrict, Medan Subdistrict, Deli. IRevan IRainsyah and IHanif were also present at the meeting and took part in preparing themselves to fight together with the other members

On Friday, May 2, 2025, at around 02.00 WIB, the group moved towards Jalan Karya Karya Bakti, Simpang Gang Gang Tawon, Tanjung Mulia Subdistrict, Medan

Subdistrict, Deli, Medan City. While he was at the location, he passed two bicycles and a motorbike which he suspected of being a rival group. The first motorcycle managed to pass, while the second motorcycle ridden by Abdul Kadir Jailani alias Jay with victims Fajar Marlaba Khudri and Sultan as passengers became the target. The group of perpetrators shouted and gave chase. One of the perpetrators whose case was separated swung a comb about one meter long towards the victim who was sitting in the middle position until it hit the back of the victim's head. The defendants and other members were prepared to hit the victim if he fell, but the motorbike driver managed to escape and took the victim to the hospital.

The victim was then taken to the Martha and Friska Brayan Hospital to receive medical assistance, but at 02.47 WIB the victim was declared dead. Based on the results of Visum et Repertum from Bhayangkara Hospital TK II City Medan I Number 45/VER/V/2025 dated 2 May 2025 signed by dr. Surjit Singh, DFM, Sp.F(K), found lacerations on the back and top of the head, skull fractures, and bleeding in the head and skull cavities. The autopsy concluded that the cause of the victim's death was sharp trauma to the head which resulted in bleeding in the head cavity. As a result of these actions, the defendants were brought to trial because they were suspected of jointly committing the assault which resulted in the victim's death. In the process of proving a criminal case, evidence has an important role in proving the truth of an event that is accused by the Public Prosecutor. Based on the provisions of Article 184 paragraph 1 (1) of the Criminal Procedure Code, one of the valid pieces of evidence in criminal procedure is the testimony of the victim. In cases related to the injury or death of the victim, the testimony of the victim is often manifested in the form of a Visum Let Repertum, namely a written report from a forensic doctor.

In addition, the Visum et Repertum also plays a role in strengthening the evidence of the elements of the criminal act charged by the Public Prosecutor, namely the element of intentionally injuring another person resulting in death as regulated in Article 1354 paragraph 1(2) of the Criminal Code in conjunction with Article 155 paragraph 1(1) of the Criminal Code. Through the results of the medical examination, the judge can obtain a clear picture of the severity of the injuries suffered by the victim and the fatal consequences resulting from the act of abuse. In its legal considerations, the panel of judges assessed that the Visum Let Repertum was a valid and relevant piece of evidence because it provided objective medical information regarding the victim's condition. This information was then connected with other pieces of evidence, such as witness statements, the defendant's statement, and evidence in the form of sharp weapons used in the incident. With the consistency between the Visum Let Repertum and other pieces of evidence, the judge was convinced that the act of abuse carried out by the defendants had resulted in the victim's death. Based on these considerations, the panel of judges considers that the results of the Repertum Visum have strong evidentiary value and are relevant in the case. This evidence tool provides a scientific explanation regarding the condition of the victim's injuries and the

causes of the victim's death, so that it can clarify the elements of the crime involved in the criminal act of abuse which resulted in death as regulated in Article 1354 paragraph 1(2) of the Criminal Code in conjunction with Article 155 paragraph 1(1). lke-1 IKUHP.

Thus, it can be concluded that the results of the Visum let Repertum in the case were proven in court and played an important role in strengthening the evidence against the elements of the criminal act being charged. Through the Visum let Repertum, the panel of judges obtained confidence regarding the cause of the victim's death and the relationship between the injuries suffered by the victim and the acts of abuse committed by the defendants. 3.2 Legal Considerations of the Judge in Handing Down a Decision on the Public Prosecutor's Indictment

One of the main obligations of the Public Prosecutor (JPU) is to prepare an indictment, which is a crucial document in the criminal trial process. The indictment contains an explanation of the alleged criminal act against the defendant and serves as the basis for the judge in examining and deciding the case. Therefore, its preparation must be carried out carefully and in accordance with applicable legal provisions. The Public Prosecutor prepares an indictment in the form of a primary and subsidiary indictment because there are several articles or criminal provisions that are related or have almost the same scope. The preparation of an indictment with this model is intended so that the defendant can still be held criminally responsible for the actions he has committed. If the primary indictment is not proven, then the subsidiary indictment can be an alternative form of evidence. However, if all charges, both primary and subsidiary, cannot be proven in court, the Public Prosecutor is obliged to demand that the defendant be acquitted of all charges filed.

Every case examined in court must ultimately be concluded with a decision as a determinant and confirmation of the direction of the settlement of the case. The definition of a court decision has been regulated in Chapter I1 of the General Provisions of Article 11 of the Criminal Procedure Code, which states that a court decision is a judge's statement made in a public hearing, the contents of which can be in the form of a criminal sentence, an acquittal, or release from all legal charges, in accordance with the provisions and procedures regulated in the law. Thus, every decision made by a judge on a case must be based on mature and measured legal reasoning. The judge will appear when the judge conducts an examination of a case until the process of making a decision. In carrying out his duties and authority to examine, try, and make a decision, the judge must be guided by the applicable legal provisions and at the same time base his assessment on the beliefs formed during the trial process. Thus, the decision taken is not solely based on legal logic, but also on the judge's conviction that arises from the facts and evidence revealed in the trial.

Primary indictment:

The primary indictment in this case was filed by the Public Prosecutor based on the provisions of Article 1354 paragraph 1(2) of the Criminal Code and Article 155 paragraph 1(1) of the Criminal Code. These provisions regulate the crime of serious assault resulting in death and committed jointly by more than one perpetrator. In Indonesian criminal law, serious assault is an act that intentionally causes serious physical suffering to the victim, which under certain conditions can have fatal consequences, even leading to death. Based on the description of the facts in the indictment, the defendants, namely Revan Rainsyah and Hanif, are suspected of committing these acts on Friday, May 2, 2025 at around 02.00 WIB on Jalan Karya, Bakti, Simpang, Alley, Tawon, Tanjung Mulia Subdistrict, Medan District. Deli, Medan City. This incident began when the defendants and their group members first agreed to have a brawl with another group. To carry out the plan, the perpetrators prepared and brought sharp weapons in the form of a sickle and a sawed machete, then went to the predetermined location. In this situation, when the victim Fajar Marlaba Khudri was passing by on a motorcycle near the scene of the incident, one of the perpetrators, acting in concert with the defendants, attacked him by swinging a sawed machete at the victim's throat. The swing of the sharp weapon hit the back of the victim's head and caused serious injuries. Based on the results of the medical examination stated in the Visum Let Repertum from the Bhayangkara Hospital II, Medan City, the victim suffered lacerations to the head, a skull fracture, and bleeding in the head cavity which ultimately caused the victim's death due to sharp trauma to the head. If it is linked to the elements of the crime in Article 1354 paragraph 1 (2) of the Criminal Code, then there are several elements that must be proven. First, the act of abuse was carried out intentionally. The element of intent in the first case can be seen from the actions of the defendants who had previously agreed to engage in a brawl and prepared sharp weapons as a means of attack. Second, the result was the victim's death. This was proven through the results of the autopsy which stated that the victim died due to serious injuries to the head caused by a sharp object. Third, there was a causal relationship between the perpetrator's actions and the resulting consequences, namely the victim's death as a direct consequence of the attack using the sharp weapon. Furthermore, the application of Article 155 paragraph 1(1) of the Criminal Code shows that the act was not carried out by one person alone, but together. In criminal law, the provisions of the line emphasize that every person who participates in committing a crime, whether as the main perpetrator or as a party who collaborates in its implementation, can still be held fully criminally responsible. Thus, although not all perpetrators directly carried out attacks that caused fatal injuries, because these actions were carried out in a single unity of will and action, all parties involved can be seen as perpetrators. Based on this analysis, the primary charge filed by the Public Prosecutor attempts to assert that the actions of the defendants fulfill all the elements of the crime of serious assault resulting in death, which was carried out jointly. Because of this, the defendants were asked to be held accountable by criminals in accordance with the

criminal penalties set out in Article 1354 paragraph 1(2) of the Criminal Code and Article 155 paragraph 1(1) of the Criminal Code.

Subsidiary indictment:

The secondary charges are filed by the General Prosecutor as an alternative if the primary charges cannot be proven convincingly at trial. In terms of line, the accused IRevan IRainsyah and IHanif Iwere accused of having committed a criminal act of ill-treatment which resulted in the death of the victim, as regulated in Article 1353 paragraph 1(3) of the Criminal Code Ijuncto IArticle 155 paragraph 1(1) of the Criminal Code.

Based on the description of the incident, the incident occurred on Friday, May 2, 2025, at around 2:00 a.m. WIB on Karya Bakti Street, Tawon Alley Intersection, Tanjung Mulia Village, Medan Deli District, Medan City, which is still within the jurisdiction of the Medan District Court. At that time, the defendants, along with their group members, had gathered and made preparations before heading to the predetermined location. The preparation included bringing sharp weapons in the form of a sickle and a sawed-off machete which would later be used in a brawl with another group. After arriving at the location, the perpetrators then waited for the presence of the party they considered an opponent. In this situation, the victim Fajar Marlaba Khudri passed by the scene of the incident on a motorbike. At that time, one of the group members who acted together with the defendants swung the saw at the victim's throat, hitting the back of the victim's head. This attack caused the victim to suffer serious injuries to the head which then resulted in the victim's death.

The consequences of this action were strengthened by the results of the medical examination which was outlined in the post-mortem examination from the Bhayangkara Hospital, Kindergarten II, Medan City. In the medical document, it is explained that the victim suffered injuries caused by a sharp object on the part of the head which caused internal bleeding in the cavity of the head, which ultimately caused the victim to die at around 02.47 WIB.

If it is linked to the elements contained in Article 1353 paragraph 1(3) of the Criminal Code, then the first element that must be proven is the act of assault that is carried out intentionally. The element of intent can be seen from the actions of the perpetrators who consciously carry sharp weapons and carry out attacks on the victim. The second element is the death of the victim which is a consequence of the act of assault. This is proven through the results of the post-mortem examination which explains the causal relationship between the wound caused by a sharp object and the death of the victim. In addition, in the subsidiary indictment there is also an element of premeditation. The revealed facts show that the plan to carry out a brawl had been discussed beforehand by members of the KRI group through social media Instagram since May 1, 2025. In the communication there was a plan to gather at a certain location as well as instructions to bring sharp

weapons in preparation for facing the opposing group. The situation in the line shows the existence of a mutual agreement among the group members to commit violence, which in criminal law doctrine is known as a form of common intent (*gemeenschappelijk lofzet*). Furthermore, the application of Article 155 paragraph 1(1) of the Criminal Code shows that the crime was committed jointly. This means that every person involved in the commission of the act, whether as the main perpetrator or as a party participating in the commission of the crime, can still be held criminally responsible. Therefore, even though the attack that caused fatal injuries was carried out by one of the group members, the involvement of the defendants in the planning or implementation of the act still places them as parties participating in the commission of the crime. Thus, based on a series of facts and pieces of evidence, the Public Prosecutor prepared a subsidiary indictment based on the provisions of Article 1353 paragraph 1(3) of the Criminal Code and Article 155 paragraph 1(1) of the Criminal Code, namely regarding the act of assault carried out jointly and resulting in the death of the victim. Thus, the subsidiary serves as a "reserve" if the primary evidence is insufficient. The advantage lies in its suitability with the facts of youth brawls, where prediction (brawl planning) is a key element, while the weakness is the threat of a lighter criminal sentence, which is possible.

Public Prosecutor's Charges

In Criminal Case Number: 1294/Pid.B/2025/PN Mdn

Defendants:

1. Revan Rainsya
2. Hanif

I. Plea of Guilty

Based on the Public Prosecutor's Analysis, after considering all the facts revealed during the trial, the testimony of witnesses, the statements of the defendants, the evidence, and the documentary evidence in the form of a *Visum Let Repertum*, it is the opinion that the defendants have been legally and convincingly proven to have committed the following crimes:

"Those who committed, ordered, and participated in the act intentionally injuring another person which results in death."

As regulated by the law and threatened by:

Article 354 (2) KUHP Jo Article 55 (1) 1 KUHP.

II. Criminal Charges

Therefore, the General Prosecutor demands that the Panel of Judges of the Field District Court which examines and adjudicates the line case decides:

1. Declare that Defendant II Revan IRainsyah and Defendant III IHanif has been proven illegally and convincingly guilty of committing criminal acts as regulated in Article 1354 paragraph 1(2) of the Criminal Code and Article 155 paragraph 1(1) of the Criminal Code.
2. Sentenced the defendants to prison for 18 (eight) years and 16 (six) months, with the terms of the previous detention period. The defendants were served with the full amount of the sentence imposed, and the defendants were ordered to remain in detention.

III. Evidence

The Public Prosecutor demands a lawsuit. The Panel of Judges determines the following evidence:

1. 1 (one) iron comb, approximately 1 meter long.
2. 1 (one) red knife, approximately 1.5 meters long.
3. 1 (one) knife, approximately 1.5 meters long.
4. 1 (one) black handle knife, approximately 1.5 meters long.
5. 1 (one) blue, forked sickle, approximately 1 meter long.

Returned to the rightful owner:

1. 1 (one) white Honda Vario motorcycle, license plate number BK 16013, frame number MH1KF4112JK049027, Engine Number KF4E1049716 returned to Abdul Kadir alias Jay.

IV. Case Fees

Demanding that the defendants be charged with paying the costs of each case amounting to IDR 5,000 (five thousand IDR).

Based on the Public Prosecutor's analysis, the Public Prosecutor assessed that the defendants' actions, which collectively committed assault using sharp weapons, resulting in the death of the victim Fajar Marlaba Khudri, had fulfilled the elements of Article 1354 paragraph 1(2) of the Criminal Code and Article 155 paragraph 1(1) of the Criminal Code, and therefore deserved to be sentenced to 18 years and 16 months in prison.

Judge's Considerations

Legal considerations are the stage when the panel of judges analyzes and assesses the facts revealed during the trial process. The assessment includes the

indictment, the demands of the public prosecutor, the exceptions submitted by the defendant, as well as valid evidence, both formal and material, submitted in the evidentiary process, including the plea or defense of the defendant. In the preliminary stage, the judge also includes the provisions of the articles in the statutory regulations that are used as the legal basis in making a decision. In the case of Decision Number I1294/Pid.B/2025/PN IMdn, the Panel of Judges of the Medan State Court handed down a verdict against the defendants Revan Rainsyah and Hanif who were accused by the Prosecutor General of This results in death as regulated in Article 354 (2) of the Criminal Code jo Article 55 (1) -1 of the Criminal Code. The indictment was prepared in a subsidiary manner, so that the judge in his considerations first assessed the primary indictment submitted by the Public Prosecutor.

The judge's consideration is first directed at proving the elements of the criminal act contained in the article charged by the Public Prosecutor. The first element assessed by the judge is the element of "whose", which in criminal law refers to any person who can be held criminally responsible for his actions. In a criminal case, what is meant by "whose" is the defendant whose identity is clear as stated in the indictment and has been confirmed by the defendants in court. In addition, the defendants were also assessed as being in good physical and mental health and capable of being held legally responsible for their actions. Thus, the Panel of Judges concluded that these elements had been met. Furthermore, the Panel of Judges considered the element of "intentionally causing serious injury to another person."

Amar Decision

After the judge had considered and analyzed and examined the facts in the trial that he had violated Article 1354 of the Criminal Code and then Article 155 of the Criminal Code, then:

1. Declare that Defendant II Revan Rainsyah and Defendant III Hanif were then proven legally and convincingly guilty of committing a further criminal offense and intentionally injuring another person which resulted in death.
2. Sentenced the defendants to prison for 7 (seven) years and six months.
3. Determine that the period of arrest and detention that has been served by the Defendants be deducted in full from the length of the sentence imposed.
4. Determine that the Defendants remain in detention.
5. Determine that the evidence is in the form of:
 - a) 1 (one) comb made of iron, approximately 1 meter long;
 - b) 1 (one) red sickle, 1.5 meters long

- c) 1 (one) 1.5 meters long
- d) 1 (one) black-handled sickle, 1.5 meters long
- e) 1 (one) blue, 1 meter long

Based on the author's analysis of the verdict, I disagree because the verdict does not carry the maximum sentence of Article 1354 (2) of the Criminal Code or Article 155 (1) of the Criminal Code, where the maximum sentence is 10 years. According to the author, the charges and verdict should use the maximum sentence because student brawls are very disturbing to the community and causing the victim Fajar Marlaba Khudri to die and providing a deterrent effect to the perpetrators so that they do not repeat the act in the future and emphasizing that the punishment for the perpetrators of the assault that resulted in death will receive a very heavy punishment so that the perpetrators will not engage in brawls between the Independent youth group and the Warbuji group and emphasizing that the students who are in Indonesia will not engage in brawls again in the future because of this maximum threat as a preventive measure (to prevent) the perpetrators of the assault to be a deterrent and not to do it again Victims later experienced the same thing as Fajar Marlaba Khudri. Thus, if the judge had imposed the maximum sentence, the defendants Revan Rinsyah and Hanif would have regretted their actions more.

4. Conclusion

Based on the results of the study of the Medan District Court Decision Number 1294/Pid.B/2025/PN MDN, it can be concluded that the Visum Let Repertum has very important evidentiary power in cases of assault resulting in death. In this case, a post-mortem examination made by a forensic doctor proves that the pepper is a serious injury to the victim's head which causes internal bleeding in the cavity of the head until the victim dies. The results of the post-mortem are valid evidence according to Article 184 of the Criminal Procedure Code and serve to strengthen other evidence such as witness statements, defendant statements, as well as sharp weapons evidence. Based on all of this evidence, the judge stated that the defendants Revan Rainsyah and Hanif were legally and convincingly proven to have committed the abuse together which resulted in the death of victim Fajar Marlaba Khudri. The results of the post-mortem are valid evidence according to Article 184 of the Criminal Procedure Code and serve to strengthen other evidence such as witness statements, defendant statements, as well as sharp weapons evidence. Based on all of this evidence, the judge stated that the defendants Revan Rainsyah and Hanif were legally and convincingly proven to have committed the abuse together which resulted in the death of victim Fajar Marlaba Khudri. For this reason, the panel of judges sentenced each of the defendants to prison for 17 years and 6 months in accordance with the provisions of Article 1354 of the Criminal Code. Thus, line research confirms that visum et repertum plays an

important role in proving the cause of the victim's death and forming the judge's confidence in handing down the prison sentence.

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