

**STUDI KASUS HUKUM**  
**ANALISIS PUTUSAN PENGADILAN TERKAIT KASUS TINDAK PIDANA**  
**PEMILU PENGGUNAAN IJAZAH PALSU OLEH ANGGOTA DEWAN**  
**PERWAKILAN RAKYAT DAERAH KABUPATEN PESISIR SELATAN**  
**(Studi Kasus Putusan Nomor: 32/Pid.Sus/2024/PN.Pnn)**

*Diajukan guna memenuhi persyaratan dalam rangka memperoleh gelar Gelar  
sarjana hukum di Fakultas Hukum Universitas Andalas*

**Disusun oleh:**

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**PROGRAM KEKHUSUSAN : HUKUM TATA NEGARA (PK V)**



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**2025**

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**ANALISIS PUTUSAN PENGADILAN TERKAIT KASUS TINDAK PIDANA PEMILU  
 PENGGUNAAN IJAZAH  
 PALSU OLEH ANGGOTA DEWAN PERWAKILAN RAKYAT DAERAH KABUPATEN  
 PESISIR SELATAN**

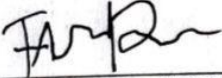
**(Studi Kasus Putusan Nomor: 32/Pid.Sus/2024/PN.Pnn)**  
 (Emir Rahmatullah, 2110113097, Fakultas Hukum Universitas Andalas, Program  
 Kekhususan Hukum Tata Negara, 66 Halaman, 2025)

**ABSTRAK**

Bentuk penerapan kedaulatan rakyat di Indonesia adalah diselenggarakannya pengisian jabatan melalui Pemilihan Umum (Pemilu). Pemilu sendiri diatur pada Undang-Undang Dasar 1945 Pasal 22E Ayat (2) dimana salah satunya adalah untuk memilih anggota Dewan Perwakilan Rakyat Daerah yang diatur dalam Undang-Undang Nomor 17 Tahun 2017 tentang Pemilu yang mengatur setiap proses Pemilu hingga sanksi terhadap pelanggaran yang dilakukan. Rumusan masalah yang menjadi topik pembahasan dalam penelitian ini yaitu Bagaimana pertimbangan Majelis Hakim Pengadilan Negeri Painan menyatakan perkara Nomor 32/Pid.Sus/2024/PN.Pnn tidak dapat diterima? Bagaimana kelemahan Jaksa Penuntut Umum dalam mengajukan perkara pidana pemilu Nomor 32/PID.SUS/2024/PN.PNN ke Pengadilan Negeri Painan sehingga diputuskan tidak dapat diterima. Penelitian ini merupakan penelitian yuridis normatif dengan menggunakan metode pendekatan kasus dan pendekatan perundang-undangan. Hasil dari penelitian ini adalah pertimbangan majelis hakim menolak perkara Nomor 32/Pid.Sus/2024/PN Pnn adalah karena syarat formil laporan tindak pidana pemilu tidak terpenuhi akibat laporan disampaikan melewati batas waktu tujuh hari; kelemahan Jaksa Penuntut Umum dalam melimpahkan perkara yaitu kurang cermat dalam membuat surat dakwaan yang seharusnya turut memasukkan kapan waktu pelaporan dari pelapor terkait perkara tersebut sehingga syarat formil juga terpenuhi dalam dakwaan.

**Kata Kunci :** *Pemilu, Tindak Pidana Pemilu, Pertimbangan Hakim, Jaksa Penuntut Umum*

Skripsi ini telah dipertahankan di depan Tim Penguji dan dinyatakan lulus pada 5 November 2025.

|              |                                                                                     |                                                                                       |
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**ANALYSIS OF COURT DECISIONS RELATED TO ELECTION CRIMES INVOLVING THE USE OF FAKE DIPLOMAS BY MEMBERS OF THE REGIONAL REPRESENTATIVE COUNCIL OF SOUTH PESISIR REGENCY**

**(Case Study Decision Number: 32/Pid.Sus/2024/PN.Pnn)**

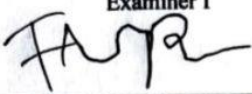
(Emir Rahmatullah, 2110113097, Faculty of Law, Andalas University, Specialization Program in Constitutional Law (V) Year 2025, Page 67)

**ABSTRACT**

*One form of the application of people's sovereignty in Indonesia is the filling of positions through general elections (Pemilu). General elections are regulated in the 1945 Constitution (UD 1945) Article 22E Paragraph (2), one of which is to elect members of the Regional Representative Council as regulated in Law Number 17 of 2017 concerning General Elections, which regulates every process of the General Elections, including sanctions for violations. Elections should be conducted honestly and fairly, but in reality, there are still many cases of fraud, one of which is the use of fake diplomas as a requirement for candidacy, as in the case of fake diplomas that were examined and decided based on Decision Number 32/Pid.Sus/2024/PN Pnn. The problems discussed in this study are: 1) How did the Panel of Judges at the Painan District Court decide that Case Number 32/Pid.Sus/2024/PN.Pnn was inadmissible?; and 2) What were the weaknesses of the Public Prosecutor in filing election criminal case Number 32/PID. SUS/2024/PN.PNN to the Painan District Court, resulting in it being declared inadmissible. This research is normative legal research using a case study approach and a legislative approach. The results of this study are 1) The panel of judges' consideration in rejecting case No. 32/Pid.Sus/2024/PN Pnn was because the formal requirements for reporting election crimes were not met due to the report being submitted after the seven-day deadline; and 2) The weakness of the Public Prosecutor in transferring the case was that he was not careful in drafting the indictment, which should have included the time of the report from the reporter related to the case so that the formal requirements were also met in the indictment.*

**Keywords:** Elections, Election Crimes, Judicial Considerations, Public Prosecutors

This thesis has been defended in front of the Examining Team and was declared passed on November 5<sup>th</sup> 2025

|             |                                                                                                   |                                                                                                      |
|-------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
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Know,  
Chair of the Department of Administrative Law: Arfiani, S.H., M.H.

  
\_\_\_\_\_  
Signature

Alumni have registered with the Faculty/University and received an alumni number:

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|                       | Faculty/University Officer |
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| No. University Alumni | Name: Signature:           |