



Criminal implications of giving false information by employees (analysis of decision number 16/Pid.B/2024/pn kbu)

Irma Yurita¹, M. Ruhly Kesuma Dinata², Salis M Abduh³

Faculty Of Law And Social Sciences, Universitas Muhammadiyah Kotabumi, Indonesia.

E-mail: irmayurita06@gmail.com

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ABSTRACT

Providing false information by employees is an action that can have significant legal impacts, both for the individual concerned and the institution where they work. This research aims to analyze the criminal implications of acts of false information carried out by employees, with a focus on the application of the evidentiary system in proving the elements of the criminal act of false information in accordance with Article 242 of the Criminal Code and the provisions of the criminal law that regulate the prosecution and qualification of such actions. In this research, the method used is normative juridical analysis with a case study approach. The results of the research show that the application of the evidentiary system in cases of false statements involves witness statements, evidence, and the defendant's confession which support each other to prove that the information given is not true. The conclusion of this research confirms that acts of false information by employees not only harm the company but can also damage public trust in institutions. Therefore, it is important to implement a strict evidentiary system and provide strict sanctions for such actions to maintain justice and legal integrity. It is hoped that this research can contribute to the development of criminal law in Indonesia, especially in handling cases of false statements involving employees.

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Corresponding Author:

Irma Yurita,
Faculty Of Law And Social Sciences ,
Universitas Muhammadiyah Kotabumi,
Jln. Hasan Kepala Ratu No. 1052 Sindangsari, Kotabumi Lampung
Utara, Provinsi Lampung, 34517
Email: irmayurita06@gmail.com

1. Introduction

Punishment is a form of suffering that is intentionally given to someone who has committed an act that meets certain requirements. As a reaction to an offense, punishment is imposed by the state in the form of punishment which aims to provide legal consequences to the perpetrator (Dr. Yasmirah, et al., 2022). In this context, crime is not only intended as a form of suffering given to the perpetrator as a legal consequence, but also as a means of upholding justice and maintaining the integrity of the criminal justice system.

The crime of false information is a form of crime that can have serious impacts on individuals and institutions, and harm the parties affected by incorrect information. From a company's perspective, false information can cause financial losses, damage reputation, and create an unhealthy work environment. Therefore, it is important for companies to improve internal supervision and for law enforcement to apply strict sanctions to prevent similar incidents in the future. In criminal law, this act is categorized as a crime regulated in Article 242 of the Criminal Code. However, there are still challenges in proving this case, especially in ensuring that the elements of *actus reus* and *mens rea* are fulfilled in court. Article 242 of the Criminal Code was chosen as the main legal basis because it specifically regulates the provision of false testimony under oath, which is the core of the case studied in this study. The relevance of this article in the development of modern criminal law in Indonesia can be seen from its use which remains a reference in many court decisions.

A criminal act, also known as a *delict*, is an action or series of actions that can be subject to criminal sanctions (Kamilatun, 2019). The main criminal offense in Article 242 of the Criminal Code is the criminal offense formulated in paragraph (1). In paragraph (2) it regulates the severity of criminal penalties, in paragraph (3) it regulates what is equivalent to an oath, while in paragraph (4) it regulates additional penalties (Husni Thamrin et al., 2021). In the context of criminal law, false information given by employees can be categorized as an offense that fulfills the criminal elements in accordance with Article 242 of the Criminal Code. This article emphasizes that providing false information under oath, whether orally or in writing, is a criminal act that can be subject to criminal sanctions, especially if the act is carried out intentionally and causes harm to another party.

Any person who, in circumstances where the law requires giving information on oath or providing legal consequences for such information, intentionally gives false information on oath, either orally or in writing, personally or by a proxy specifically appointed for that purpose, is threatened with imprisonment for a maximum of 7 years (Article 242 of the Criminal Code) (Bahri yamin et al., 2024). Providing false information is a form of criminal act that is detrimental to justice, especially in the law enforcement process. In the context of employment relations, false information provided by employees can cause financial and reputational losses for the company. Case in decision number 16/Pid.B/2024/PN Kbu raised the issue of giving false information by a shop employee who claimed to be a victim of theft to cover up embezzlement of company funds. This act not only violates legal norms regulated in Article 242 of the Criminal Code (KUHP) but also has serious implications for trust and security in the work environment.

According to Mochtar Kusumaatmadja, legal development must be able to direct and accommodate legal needs in accordance with people's legal awareness which develops along with progress in all fields. Thus, legal order and certainty must be demonstrated as a way to increase the development of national unity as well as function as a means to support the development of modernization and law enforcement (Tolib Effendi, 2014).

In line with this view, in cases of giving false information by employees, criminal law must be able to become a tool that not only enforces legal order and certainty, but also adapts to the needs of society that continues to develop. In an increasingly complex world of work, actions like this can be detrimental to the company and other related parties.

Regulations regarding evidence in the Criminal Procedure Law in Indonesia are broadly divided into the Criminal Procedure Code, namely as general regulations and in special legislation, as the *lex specialis*. The judicial process has several stages or trial agendas, one of which is the evidentiary trial agenda (Rumondor, 2021). Article 7 paragraph (1) of the Criminal Procedure Code regulates that National Police Investigators, because of their obligations, have the authority to receive reports or complaints from someone about a criminal act, take the first action at the scene of the incident, order a suspect to stop and check the suspect's personal identification, make arrests, detain, search and confiscate, inspect and confiscate documents, take fingerprints and photograph a person, summon people to be heard and examined as suspects or witnesses, bring in experts who are needed in connection with the case examination, carry out investigations, carry out other responsible actions according to the law. (hasrul, syahrudin nawi, 2022). In this decision, National Police investigators use their authority to receive reports, carry out examinations and carry out in-depth investigations. After the information given by the Defendant was proven to be false, legal steps were taken in accordance with the applicable criminal regulations. This shows the important role of investigators in ensuring the veracity of reports and information provided to the authorities, as well as the legal consequences faced by employees who provide false information.

In several court decisions, including the case of Defendant Aprimal Putra Bin Ilhamsyah, it appears that giving false information not only harms the parties involved, but can also prolong the judicial process. This shows that it is important to examine more deeply how criminal law handles and prevents this kind of behavior. Based on the decision, the defendant Aprimal Putra Bin Ilhamsyah, an employee, was found guilty of giving false information under oath, which leads to a violation of Article 242 paragraph (1) and Article 220 paragraph (1) of the Criminal Code. Criminal implications in this context include criminal penalties for perpetrators who are proven to have provided false information, which aims to maintain the integrity of the legal process and prevent similar actions in the future. This ruling also highlights the importance of employee accountability and responsibility in providing correct and accurate information to law enforcement officials.

As regulated in Article 242 of the Criminal Code, the crime of false information can be charged with imprisonment if it is proven that someone intentionally provided false information. The application of this article not only requires evidence that shows that the information given is false, but it must also be proven that the statement is indeed detrimental to another party or damages the legal process. Proving the elements of this criminal act involves a long and complex process, because it must be proven that there is malicious intent (*mens rea*) and actual action (*actus reus*) which are interconnected in the act. In criminal law, *actus reus* and *mens rea* are the two main elements that must be fulfilled to prove the existence of a criminal act. *Actus reus* refers to physical acts that violate the law, either in the form of commission or omission. Meanwhile, *mens rea* refers to the mental state or intention of the perpetrator in committing the act. The relationship between the two is very close, because an action (*actus reus*) cannot be punished without an element of error (*mens rea*), except in certain cases such as absolute criminal acts (strict liability). In other words, to be said to be guilty, a person must not only commit a prohibited act (*actus reus*), but also have the accompanying awareness or evil intention (*mens rea*) (Wahyuni, 2017).

Apart from that, criminal law provisions regarding false statements by employees also have their own challenges. One aspect that is still a challenge is how to prove the element of intent in the crime of false information in the world of work. Previous studies have discussed false information more in the context of general criminal courts, while studies on the legal implications of false information made by employees are still limited. Therefore, this study aims to: Analyze the application of the evidentiary system in cases of providing false information by employees as in Decision Number 16 / Pid.B / 2024 / PN Kbu, Determine whether the elements of the crime in Article 242 of the Criminal Code have been fulfilled in the decision being studied. And examine the legal implications of providing false information on public trust in the criminal justice system.

2. Method

This research uses a normative juridical approach, which focuses on analysis of applicable legal regulations and case studies. This normative juridical approach methodology aims to explain legal problems based on legal doctrine that is relevant to the legal problems discussed (Zainuddin & Karina, 2023). The analysis method in this study identifies the elements of criminal acts in Article 242 of the Criminal Code using a normative legal analysis approach that focuses on doctrinal review and decision studies. This study analyzes how the evidentiary system in this case is used to prove the elements of mens rea and actus reus, and how judges assess false statements based on the available evidence. The data used consists of secondary sources including: Court decisions related to cases of giving false statements, Law journals that discuss the evidentiary system in criminal law, Books and legal literature on the elements of actus reus and mens rea in criminal acts of false statements, Relevant laws and regulations, such as the Criminal Code and Criminal Procedure Code.

3. Analysis and Results

3.1 Application of the evidentiary system in proving elements of the crime of false information in accordance with article 242 of the Criminal Code

Evidence is the totality of legal norms or statutory regulations that regulate activities to reconstruct a true reality from every past event that is relevant to allegations against individuals suspected of committing criminal acts, as well as ratifying every piece of evidence in accordance with applicable legal provisions for the benefit of justice in criminal cases (Hawasara et al., 2022) Proof aims to reveal the truth of an event by providing a clear picture, so that the event can be assessed logically and accepted by reason (Imron, 2017). According to the principles of applicable criminal law, a person who has been legally and convincingly proven guilty of a criminal act can be subject to criminal sanctions in accordance with applicable legal provisions (Sudaryono & Surbakti, 2017). In the case of Decision Number 16/Pid.B/2024/PN Kbu, the defendant Aprimal Putra bin Ilhamsyah was charged with the crime of false information as regulated in Article 242 paragraph (1) of the Criminal Code and Article 220 paragraph (1) of the Criminal Code. Proving the elements of this criminal act uses the evidentiary system adopted in criminal procedural law in Indonesia, namely the negative proof system based on law (*negatief wettelijk stelsel*). Some proof theories are as follows: a)The evidentiary system is based on positive law (*positief wettelijk bewijs theorie*), namely an evidentiary system which aims to determine whether the defendant is guilty or not, must be guided by the principles of proof using evidence determined by law. This system is the opposite of the conviction in time system. Beliefs are sidelined in this system. According to this system, the law determines the limits of the evidence that can be used by judges, the ways in which judges use evidence, and the evidentiary strength of the evidence. If the evidence has been used legally in accordance with

the provisions of the law, then the judge must determine whether the circumstances are legally proven, even though they may believe that what must be proven is not true (Hawasara et al., 2022). and b) The negative system of evidence according to law (*negatief wettelijk bewijs theorie*) combines two elements, namely evidence based on law and the element of the judge's belief, into one inseparable unit. The judge's belief is considered non-existent if the belief is not supported by at least two valid pieces of evidence. On the other hand, two valid pieces of evidence are considered meaningless if they are unable to create the judge's confidence (M. Khaerul et al., 2022).

In previous studies, the proof did not only rely on written evidence, but also considered all the facts revealed in court, with an emphasis on the elements of *mens rea* and *actus reus* in determining the defendant's guilt (Josua et al., 2021). Meanwhile, in the case of giving false statements by employees in Decision Number 16/Pid.B/2024/PN Kbu, the evidentiary system also uses the same theory, with evidence in the form of witness statements, the defendant's confession, and written evidence indicating a false report. In addition, the judge also considered mitigating and aggravating factors in imposing a sentence. This comparison shows that although the evidentiary system is similar, its application still depends on the characteristics of each case.

The evidentiary system in criminal law in Indonesia is based on the principle that evidence must be carried out in accordance with applicable legal provisions, in order to ensure that the judicial process takes place fairly and objectively (Fitri et al., 2024). In the Criminal Procedure Code (KUHAP), the purpose of evidence is to convince the judge regarding the truth of a criminal act for which the defendant is accused. In this context, evidence is the main basis for determining whether the defendant is guilty or innocent based on valid facts and evidence. (Rohman et al., 2024) This evidentiary system emphasizes that every accusation must be supported by evidence that can be legally justified, so that no party is punished without a clear basis. In its application, proof is carried out through analysis of the evidence presented, such as witness statements, documents and evidence, which are then linked to the relevant elements of the crime.

In the criminal justice process, evidence has an important role in upholding justice. Based on Article 184 of the Criminal Procedure Code, valid evidence in a trial includes the statements of witnesses and experts which must be presented honestly and not contain false information. In addition, Article 185 paragraph (7) of the Criminal Procedure Code confirms that witness statements given under oath have binding legal force, so that if proven untrue, the witness can be subject to criminal sanctions. This provision aims to maintain the integrity of the judicial process and prevent misuse of information in proving a case.

The elements of article 242 paragraph (1) of the criminal code are as follows: subjective element; deliberately, Objective elements; Whoever; In cases where the law determines that information must be given on oath or provide legal consequences for such information. Giving false information on oath, either verbally or in writing, by himself or by his attorney specifically appointed for that purpose (Mamuaja, 2020).

The subjective element in criminal acts regulated in Article 242 of the Criminal Code is the element "intentionally." Because this element is placed first in the article, the other elements that follow are also covered by the element of intention. Thus, both the public prosecutor and the judge at trial must be able to prove that the act was carried out intentionally. The first objective element in the offense regulated in Article 242 paragraph (1) of the Criminal Code is the

element "whoever." The word "whoever" refers to a person who, if they fulfill all the elements of the offense, can be considered the perpetrator of the crime in question.

The legal basis for the crime of false information in this case is regulated in Article 242 paragraph (1) of the Criminal Code and Article 220 paragraph (1) of the Criminal Code. Article 242 paragraph (1) of the Criminal Code states that: "Any person who, in cases where, according to statutory regulations, a statement is required by oath, or if the statement has legal consequences, deliberately provides false information which is borne out by oath, either orally or in writing, either by himself or through a specially appointed proxy, shall be punished by a maximum imprisonment of seven years." (Prof. Moeljatno, 2016)

Article 220 paragraph (1) of the Criminal Code also regulates false reports, which reads: "Any person who informs or complains that a criminal act has been committed, even though he knows that it has not been committed, shall be punished with a maximum imprisonment of one year and four months." (Prof. Moeljatno, 2016)

Apart from that, there are several legal bases in the 1945 Constitution (UUD 1945) which can be used as a basis, namely: (a) Article 28D paragraph (1) of the 1945 Constitution states that "Everyone has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law." This provision emphasizes that every individual is obliged to provide correct information in the legal process to ensure legal certainty and justice. Providing false information can hinder a fair judicial process and harm parties seeking justice. (b) Article 28F of the 1945 Constitution also regulates that "Everyone has the right to communicate and obtain information to develop their personal and social environment, and has the right to seek, obtain, own, store, process and convey information using all types of available channels." This provision emphasizes the importance of correct information in every aspect of life, including in legal processes. Providing false information not only violates the principles of transparency and fairness, but can also embarrass law enforcement officials in writing it. Therefore, in this case, the defendant's actions in providing false information under oath not only violate criminal law as regulated in the Criminal Code, but also conflict with constitutional values which uphold legal certainty and justice for all parties. (d) Article 28J paragraph (1) of the 1945 Constitution "Everyone is obliged to respect the human rights of others in the orderly life of society, nation and state." Providing false information can harm other people's rights and hinder a fair trial process. These actions not only injure the rights of the individuals involved, but also undermine trust in the legal system. Therefore, the obligation to respect other people's rights is included in the obligation to provide correct information in the legal process.

Investigation of the crime of giving false statements in Article 242 of the Criminal Code involves a strict evidentiary process, including examination of witnesses and documents related to the defendant's statement (Sinulingga et al., 2023). In this case, the application of the evidentiary system can be analyzed based on the elements contained in Article 242 of the Criminal Code, namely:

a. The Defendant Provides Statements in Circumstances Determined by Law

Based on the facts of the trial, the defendant gave a statement under oath in the police report and investigation report (BAP). The existence of this oath shows that the statement has legal consequences, so it fulfills the element that the defendant gave the statement in a situation stipulated by law, namely when undergoing examination as a witness/victim at the police station. This action is the main basis for assessing that the defendant has not only given an

ordinary statement, but has involved himself in a legal process that should uphold honesty and truth.

b. The information given by the defendant is false

The defendant reported a fictitious incident, where he admitted to experiencing violent theft while carrying a shop deposit amounting to Rp. 15,803,400.00. In his statement, he stated that the money was confiscated by two armed perpetrators, so he suffered losses due to criminal acts. However, after further investigation by the police, it was discovered that this incident had never occurred. The defendant finally admitted that the report was deliberately made to cover up embezzlement of money, which he used to pay debts and play online gambling. With this confession, the element of false information in Article 242 of the Criminal Code has been fulfilled, because the defendant consciously provided information that contradicted the actual facts.

c. The defendant knew or was aware that the information given was false

Based on the Investigation Report (BAP) and the investigator's testimony, the defendant gave a false report knowingly. This is proven from the following facts: (a) The defendant continued to maintain his lies during the initial examination, even though there were questions from investigators regarding irregularities in his statement. (b) After reconstructing the route of the incident, it was found that there was no evidence to support the defendant's claim that he experienced a violent theft. (9c) The police found that the money that was said to have been stolen was still in the defendant's house, which is strong evidence that the incident was staged

d. Giving false information is done intentionally

Deliberation in criminal law is part of a mistake, the perpetrator's intention has a closer psychological relationship to a prohibited act than negligence (Mahmud, 2021). Mens rea or evil intent in this crime can be seen from the defendant's actions in planning a fictitious robbery scenario in order to control the shop deposit money. This is also strengthened by the fact that the defendant used part of the money to pay an online loan debt of IDR 2,461,000. Used the money to play online gambling amounting to IDR 3,343,000. He continued to maintain his lies until further investigation proved that the report was not true. From these facts, it can be concluded that the defendant's actions were not carried out out of ignorance, but were deliberate actions to deceive the police and avoid responsibility for embezzling company money

In this case, the evidentiary system applied by the Kotabumi District Court uses valid evidence, as regulated in Article 184 of the Criminal Procedure Code, namely: (a) Witness Statement (b) Witness Bambang Tri Anggoro (investigator) stated that the theft report made by the defendant turned out to be false after a field investigation and re-examination. (c) Witnesses Yudi Irawan and Sandi Eka Saputra, who participated in the initial examination of the defendant, confirmed that the defendant gave false statements under oath.

a. Statement of the Defendant

The defendant admitted that he made a false report and used the shop deposit money for his personal interests. This confession was given after the police found irregularities in the chronology of the incident that the defendant reported.

b. Letter proof

Minutes of Oath signed by the defendant when giving a report at the Kotabumi Police. Investigation Report (BAP) which records the defendant's confession. Police Report Number LP/B/64/X/2023, which is the basis of the police investigation.

c. Instructions

Investigators carried out a reconstruction of the incident, which found that the defendant's travel route did not match the report made. The results of this reconstruction then led to the defendant's confession that the robbery was just a setup.

In this case, the evidentiary system used shows weaknesses in ensuring the accuracy of the information provided by the employee. Although the evidence submitted has met the provisions of criminal procedure law, there are still loopholes that allow for manipulation of information without severe consequences for the perpetrator. This raises the question of whether the existing evidentiary system is strong enough to prevent similar cases in the future. To increase the effectiveness of evidence in cases of false testimony in court, several legal recommendations that can be implemented include: 1) Strengthening the rules related to digital evidence in cases of giving false testimony, considering that technological developments allow for more complex manipulation of information. 2) Training for investigators and judges to recognize patterns of indications of intent in giving false testimony, so that law enforcement can be more objective and accurate. 3) Clearer regulations regarding administrative sanctions for perpetrators who are proven to have given false testimony in the work environment before entering the criminal realm, to prevent misuse of criminal law in labor disputes.

Based on the evidence presented at the trial, the judge decided that the defendant was legally and convincingly proven to have committed the crime of false information as regulated in Article 242 paragraph (1) of the Criminal Code, and was sentenced to 2 years in prison. This decision was based on the fact that the defendant had given false information under oath which was later proven to be inconsistent with reality. In his consideration, the judge assessed that the elements of this criminal act had been fulfilled, both in terms of mens rea (malicious intent) and actus reus (real action) carried out by the defendant.

3.2 Qualifications for the Crime of False Information

In the Big Indonesian Dictionary, qualifications are the skills needed to do something or occupy a certain position. In this discussion, qualifications are defined as a requirement for a false report to be categorized as a criminal act. To be said to be a criminal act, an event that occurs must fulfill the elements of a criminal act (Jahawadan et al., 2024).

There are two perspectives regarding the elements of criminal acts, namely the theoretical perspective and the legal perspective. Theoretical perspective refers to the views of legal experts regarding the elements of criminal acts. Meanwhile, the legal perspective is the way in which the reality of criminal acts is formulated into specific criminal acts in the articles of applicable laws and regulations (Annisa, 2023). The following is an explanation of these two elements:

Elements of criminal acts from a theoretical point of view Theoretical points of view are divided into two schools, namely monism and dualism, which explain the elements of criminal acts. Monism view This view was pioneered by Simons, Van Hammel, Mezger, Van Bemellen, and Wirjono Projodikoro, who formulated the elements of an offense as follows: Match the formulation of the offense, Is against the law, There are mistakes consisting of dolus and culpa,

and there is no excuse, Can be accounted for. Thus, if one of the elements above is not met, then a person cannot be punished.

This dualistic view was pioneered by Pompe, Muljatno, and Roeslan Saleh. According to this view, the elements of offenses are divided into subjective elements and objective elements. (a) Subjective elements (creator), namely: Can be accounted for, There is an error. (b) Objective elements (actions), namely: Match the formulation of the offense, Is against the law (Sonya et al., 2020).

a. Elements of criminal acts in law,

Additional conditions to aggravate the sentence, This conditional element is not a basic element of the criminal act in question, meaning that the criminal act could have occurred without this element. (a) Elements of constitutive consequences, This is found in material criminal acts (material delicten) or criminal acts where the consequences are a condition for the completion of the criminal act; criminal acts which contain an element of consequence as a condition for criminal aggravation, as well as criminal acts where the consequence is a condition for the perpetrator's punishment. (b) Element of error, Mistake or schuld is an element regarding a person's inner state or image before or at the time of starting the action, so that this element is always attached to the perpetrator and is subjective. (c) Elements of accompanying circumstances, Namely the elements of a criminal act in the form of all the circumstances that exist and apply in which the act is committed. (d) Additional requirements for criminal prosecution, This element is only found in criminal complaints, namely criminal acts that can only be prosecuted if there is a complaint from the person who has the right to complain. (e) Elements of behavior, Criminal acts are about prohibitions against committing acts, therefore actions or behavior must be mentioned in the formulation. Behavior is an absolute element of a criminal act. Behavior in criminal acts consists of active or positive behavior (handelen) which can also be called material action (material feit) and passive or negative behavior. (f) Elements of additional conditions for being sentenced, This element is in the form of certain conditions that arise after the act is carried out, meaning that if after the act is carried out these conditions do not arise, then the act is not unlawful and the person who did it cannot be punished. (g) Elements of unlawful nature, This is the reprehensible or forbidden nature of an action, which is based on the law (against formal law) and can originate from society (against material law) (Sugiarto et al., 2022).

After reviewing the literature, statutory regulations, as well as the results of analysis of court decisions, it can be qualified that the criminal act of giving false information committed by the defendant in Decision Number 16/Pid.B/2024/PN Kbu is regulated in CHAPTER IX of the Criminal Code which regulates perjury and false statements, as stated in Article 242 paragraph (1) and paragraph (2) of the Criminal Code.

In this case, the defendant was proven to have deliberately provided false information under oath during the legal process by submitting a report that did not correspond to reality. Based on the provisions in Article 242 of the Criminal Code, this action is categorized as a crime against the interests of justice, where the information given by the defendant has legal impacts that can disrupt the course of the judicial process and harm other parties. Therefore, the defendant's actions fulfill the elements of Article 242 paragraph (1) of the Criminal Code, which states that

anyone who intentionally provides false information under oath, either orally or in writing, can be subject to criminal sanctions.

In social life, legal norms are seen as rules that are binding and accompanied by strict sanctions (Sudirman & Siregar, 2023). Criminal sanctions are very harsh and sharp because they involve taking away the freedom of the offender (I Made Fery Suryawan et al., 2023). Thus, based on criminal law qualifications, the criminal act of false information committed by the defendant in this case is included in the category of crime which has serious criminal implications, because it not only harms the company where he works, but also damages the credibility of legal institutions and the justice system.

4. Conclusion

This study reveals that the provision of false information by employees in Decision Number 16/Pid.B/2024/PN Kbu meets the elements of mens rea and actus reus, which are proven through witness statements, written documents, and the defendant's confession. The evidentiary system used in this case follows the negative wettelijk stelsel, where the judge's decision is based on at least two valid pieces of evidence and his belief. The implications of this finding indicate that the evidentiary system in cases of false information is quite strong, but still needs strengthening, especially in the use of digital evidence to improve accuracy and objectivity. From a criminal law perspective, this study contributes to providing a deeper understanding of the application of Article 242 of the Criminal Code and how the evidentiary system works in similar cases. However, this study has limitations because it only analyzes one court decision so that it does not include comparisons with other cases, and does not discuss social or psychological factors that may influence the perpetrator's actions. Therefore, future research is recommended to examine more decisions in order to see the pattern of application of the evidentiary system in similar cases and consider other factors that may influence the judicial process.

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