

ABSTRACT

Totoy Herawan Indra. "Pretrial In The Legal System In Indonesia", under the care of Prof. Dr. H. Faisal Santiago, SH, MM as the Promoter and Dr. Petrus Irwan Panjaitan, SH, MH, as Ko. Promoter.

Law enforcement is one effort to create order, security and tranquility in society, enactment of Law no. 8 of 1981 on the Criminal Procedure Code (KUHAP) has generated fundamental changes, both in conjunction and implementation of the procedure of settlement of criminal cases in Indonesia, in the Criminal Procedure Code (KUHAP) regulated by a new institution called Pretrial. Pretrial issues have become the jurisdiction of the district court in addition to examining and deciding criminal and civil cases. This pretrial issue becomes part of the duties and authorities of the District Court which should not be handled by the courts in other jurisdictions.

In this dissertation research the author discusses about how Pretrial Implementation Has Been Participate In Enforcement of Criminal Law In Indonesia and How Preterdilan Legal Process Prove Someone Guilty Or Not In Crime Crime

This research uses normative legal approach. In normative law research, it is not merely using secondary legal materials with qualitative normative analysis, but the core of normative legal research is in the study steps that must be based on truth theory from legal expert.

Result of Research: 1) In principle pretrial acts as a means of law enforcement, 2) The judge's decision in the pre-trial which grants the suspect's request becomes evidence of a person not as a perpetrator of a crime.