

SUMMARY

Bayu Setyawan, Criminal Law, Faculty of Law, Brawijaya University, April 2015, the Criminal Procedure Code Implementation Of Article 144 Of Changes In Indictment (Study In State Attorney Ngasem), Dr. Navianto Ismail, SH., MH.

In this thesis, the author of lifting the title on the implementation of Article 144 of the Criminal Procedure Code on Amendment Indictment. The title selection problems against the background of the provisions of article 144 Criminal Procedure Code and the explanation does not regulate the extent to which changes to the indictment it can be done. With no restrictions, it can not be known about what things that can be changed and things that can not be changed so that there is no legal certainty. In addition, about the time and the deadline to make changes to the indictment as though there are two different provisions under article 144 Criminal Procedure Code. Implementation of Article 144 Criminal Procedure Code in the District Attorney Ngasem also complicated by the determination of the trial by the local District Court Judge.

Based on the above, this paper raised the formulation of the problem: (1) How the boundaries change in the indictment? (2) How is the implementation of article 144 Criminal Procedure Code On Changes indictment?

Then, in this thesis using empirical juridical and sociological juridical approach. Primary and secondary data obtained by the authors will be analyzed using qualitative descriptive data analysis method that aims to describe accurately the characteristics of the facts (individual, group, or state) obtained from interviews to then analyze the words of the interview.

From the research, the authors obtain answers to the issues raised, that limits changes in the indictment can be classified into two (2) sections, which include the improvement of the indictment or not to continue the prosecution. Thus, both these limits that guide the public prosecutor in amending the indictment. In implementing Article 144 Criminal Procedure Code on the Amendment of the indictment, the public prosecutor tends to apply it flexibly. That is because there are differences in understanding the provisions of Article 144 Criminal Procedure Code. As we know, that the provisions of article 144 Criminal Procedure Code outlines the changes in the indictment in general and without restriction in a limited manner. Broadly speaking, in the implementation of article 144 Criminal Procedure Code further explained about the procedure changes in the indictment, difficulties in implementing the changes in the indictment and the effort to overcome the difficulties in implementing the changes in the indictment.