

Research Article

The Evidential Power of *Visum et Repertum* in Solving Murder Cases in Indonesia

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Abstract

The *visum et repertum* serves as a crucial piece of evidence in criminal investigations, particularly in homicide cases in Indonesia. As a medico-legal document prepared by a forensic doctor at the request of law enforcement, it provides scientific findings regarding injuries, causes of death, and other physiological conditions of the victim. This study aims to analyze the evidentiary strength of the *visum et repertum* in uncovering murder cases within the Indonesian criminal justice system. Using a normative juridical method supported by case analysis, this research examines the legal position of the *visum et repertum* as regulated in the Indonesian Criminal Procedure Code (KUHP) and other related laws. The results show that the *visum et repertum* has a significant probative value as expert testimony in written form, which is essential to prove the occurrence of violence or death and to identify the mechanism and time of death. Although it is categorized as secondary evidence, its scientific and objective nature often makes it a decisive element in court proceedings. Furthermore, the *visum et repertum* bridges the gap between legal interpretation and medical science, providing clarity that cannot be obtained through ordinary witness statements. However, the strength of this document also depends on the accuracy of forensic examination, the completeness of police requests, and the competence of the medical expert. In conclusion, the *visum et repertum* plays a vital and irreplaceable role in the process of revealing truth in murder cases. Strengthening coordination between law enforcement and forensic institutions, as well as enhancing the professionalism of forensic experts, is essential to ensure that the *visum et repertum* remains a reliable instrument of justice in Indonesia's criminal procedure system.

Keywords

Post-mortem Examination, Evidence, Murder, Expert Testimony, Justice

1. Introduction

Murder is one of the most serious criminal offenses in criminal law, as it involves the unlawful taking of a person's life. In the effort to enforce the law and seek material truth, it is essential to rely on legal evidence that is valid, objective, and accountable. One of the most significant forms of evidence in proving a murder case is the *Visum et Repertum*, a written statement prepared by a physician based on the

results of an examination of the victim, whether living or deceased, at the request of the investigator. [1]

The existence of the *Visum et Repertum* is regulated in Articles 133 and 134 of the Indonesian Criminal Procedure Code (KUHP), which mandate investigators to request the assistance of medical experts to examine victims for judicial purposes. This document contains objective and scientific

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medical facts such as the type of injuries, cause of death, time of death, and the instrument or object used by the perpetrator. Therefore, the *Visum et Repertum* functions as an expert statement that bridges the gap between medical findings and legal assessment. [2, 3]

However, in practice, several issues still arise, such as differences in judges' interpretation regarding the evidential strength of the *Visum et Repertum*, limitations in physicians' expertise in preparing forensic reports, and a lack of comprehensive understanding among law enforcement officers in assessing medical findings. [4] These challenges highlight the importance of a deeper study on the evidential strength of the *Visum et Repertum* in revealing murder cases in Indonesia, to reinforce its position as a form of expert evidence that supports the pursuit of substantive justice within the criminal justice process. [5, 6]

Law enforcement, particularly concerning human bodies and lives, requires the assistance of various disciplines and expertise, which are useful in clarifying the course of events and the connections between one action and another. [7] The goal is to uncover whether a crime has occurred, the causal factors, and the means used to commit the crime. Legally accountable evidence is necessary for further investigation, inquiry, and resolution of legal issues, ultimately leading to a verdict in court. [8] Lamintang stated that in issuing a criminal sentence, the law stipulates a minimum requirement: two pieces of evidence must be supported by the judge's belief in their truthfulness, so that the evidence can demonstrate that a person has committed a crime.

No scientific discipline, including legal science, is perfect in resolving its subject matter without the assistance of other disciplines. In solving the murder case in Cibinong, for example (Case Study of Decision Number 564/Pid.B/2022/PN.Cbi), law enforcement officers must obtain evidence related to the body and life of a person. Law enforcement officers are faced with a problem they cannot resolve alone because it is beyond their capabilities or expertise. To obtain the necessary evidence, law enforcement officers seek assistance from third parties, who are expected to help uncover and clarify the crime of murder. Therefore, during the investigation process, forensic examination of the body of a murder victim is essential to identify the victim and determine the facts of the incident. [9, 10]

One of the crucial instruments in proving a murder case is the results of a medical examination of the victim, particularly a murder victim. The results of the medical examination are recorded in a post-mortem examination (*visum et repertum*), which can later serve as evidence in court. [11] The results of a post-mortem examination are significant as evidence in the criminal justice process because they are in the form of a document. This document is included among the indicators of valid evidence recognized by the Criminal Procedure Code (KUHAP), as stipulated in Article 184 paragraph [1] point 3.

The post-mortem examination is crucial because it

contains forensic expert testimony regarding the injuries on the victim's body and can be used to determine the cause of death and the manner in which the victim was killed. [12] This facilitates law enforcement in establishing evidence, given that murder perpetrators may provide differing versions of events, provide inaccurate information, and murder victims may not be able to testify directly in court. A post-mortem examination (*Visum et Repertum*) can serve as a substitute for victim testimony and become admissible evidence in court. Judges can decide a case by considering the results of a post-mortem examination as one of the minimum two valid pieces of evidence required by the Criminal Procedure Code (KUHAP).

The issue of law enforcement and justice is a scientific issue, not merely a matter of feeling, emphasizing that law enforcement has complex dimensions and can be analyzed systematically. The law enforcement process can be described as a scientific process aimed at achieving justice. Therefore, the law enforcement process carried out by law enforcement officials, especially judges, is not merely a nonscientific process. Within the law enforcement process, numerous facts are based on knowledge from various disciplines. Similarly, the close relationship between criminal law and forensic medicine exists in the examination of criminal cases involving the human body, health, and life. Therefore, the author is interested in studying and researching more deeply the significant role of the *visum et repertum* in obtaining material truth, which can later function as evidence in court, which helps the judge to make his decision, to prevent errors in sentencing the perpetrator, specifically in case Number 564/Pid.B/2022/PN.Cbi.

2. Problem

Based on the background described above, the problems formulated in this research are as follows How can a post-mortem examination reveal the crime of murder in Case Decision Number 564/Pid.B/2022/PN.Cbi?

3. Research Purposes

This research aims to Understand the role of the post-mortem examination (*visum et repertum*) in uncovering the crime of murder in Case Decision Number 564/Pid.B/2022/PN.Cbi.

4. Research Methods

4.1. Type of Research

The type of research used in this study is normative juridical research. Normative juridical research is legal research conducted by examining library materials or secondary data, also called doctrinal research. Law is often

conceptualized as what is written in laws and regulations (law in books) or conceptualized as rules or norms that serve as benchmarks for human behavior considered appropriate. [13]

4.2. Data Sources

This research uses secondary data. Secondary data is data used to answer the research questions through library research by reading, quoting, studying, and analyzing existing literature or materials, as well as laws and regulations related to the problem being studied. Secondary data consists of three [3] types of legal materials:

- a) Primary Legal Material
- b) Secondary Legal Material
- c) Tertiary Legal Material

Primary Legal Material is authoritative legal material, meaning it has authority. Primary legal materials consist of legislation. Secondary legal materials are legal publications that are official documents. Tertiary legal materials support primary and secondary legal materials by providing understanding and comprehension of other legal materials.

In this study, the primary legal materials used are the Criminal Code (KUHP), the Criminal Procedure Code (KUHP), the National Criminal Code (KUHPN), Cirebon District Court Decision No. 564/Pid.B/2022/PN.Cbi, and the Regulation on post-mortem examinations. Secondary legal materials used include scientific journals/articles on the status of post-mortem examinations, as well as textbooks on forensic medicine and criminal law. Tertiary legal materials used include dictionaries and other supporting documents that help clarify legal terms and concepts.

5. Discussion

5.1. Definition of Visum et Repertum

Visum et repertum comes from the Latin words visum (what is seen) and repertum (what is found). [14, 15] A visum et repertum is a written statement prepared to the best of its ability based on the written request of an authorized investigator and containing everything seen and found during the examination, in accordance with their knowledge, for the benefit of justice, bearing in mind the oath taken upon acceptance of office. To further enrich the discussion, the author includes the opinions of several experts regarding the visum et repertum [16, 17].

According to Dr. Tjan Han Tjong, in Atang Ranoemihardjo, a visum et repertum is a matter of proof because it completely replaces the corpus delicti (evidence). As is known, in criminal cases involving bodily harm and health or the destruction of human life, the human body constitutes the corpus delicti.

According to Abdul Mun'im Idris, a visum et repertum is a written report from a sworn doctor about what was seen and

found in the evidence examined, including the conclusions of the examination for the benefit of justice.

According to Atang Ranoemihardja, a visum et repertum is a doctor's statement about what was seen and found on an injured person or corpse, and is written testimony. [18]

From the three expert opinions, it can be concluded that a visum et repertum is a written statement made by a sworn doctor about what was seen on an injured person or corpse, completely replacing the corpus delicti (evidence), for the purposes of justice.

5.2. Types of Post-mortem Examination

The purpose of a post-mortem examination request is, among other things, to clarify the criminal incident. Therefore, investigators must specify the type of post-mortem examination requested in their written request to the doctor using a format appropriate to the case being handled.

According to Y.A. Triana Ohoiwutun, the types of post-mortem examination are differentiated based on their use, as follows:

- a) Post-mortem examination for mentally ill individuals;
- b) Post-mortem examination for age;
- c) Post-mortem examination for living victims;
- d) Post-mortem examination for corpses;
- e) Post-mortem examination for rape victims or crimes against morality;
- f) Post-mortem examination for exhumation.

5.3. Post-mortem Examination for Corpses

A post-mortem examination is performed on a deceased victim, especially if the death is suspected to have been caused by a crime or unnatural causes. The purpose of this post-mortem examination is to determine the cause of death, the victim's identity, and the signs and estimated time of death victim, manner and mechanism of death of the victim. The corpse for which a post-mortem examination is requested must be labeled containing the identity of the corpse and sealed with an official stamp attached to the big toe or other body part in accordance with Article 133 paragraph [3] of the Criminal Procedure Code. This label serves as clear identification and prevents the possibility of manipulation or changes to the corpse before further examination is carried out. In the letter requesting a post-mortem examination, the type of examination requested must be clearly stated, whether only an examination of wounds or an examination of the corpse and/or an autopsy, in accordance with Article 133 paragraph [2] of the Criminal Procedure Code. [19-22]

There are two types of examinations performed on a corpse. The first is an external examination. The external examination of the corpse is carried out without disturbing the integrity of the corpse's tissue/body. [23] This examination is carried out carefully and systematically, then recorded in detail, starting from the wrapping or covering of the corpse, clothing, objects around the corpse, jewelry,

general characteristics, special characteristics, signs of death, teeth, and wounds or injuries or abnormalities found throughout the exterior. In this case, the conclusion of the visum et repertum only mentions the type of wound or abnormality found or the type of violence that caused it. The cause of death cannot be determined because no post-mortem examination was performed. If it is possible to estimate the length of death before the autopsy examination (The estimated time of death can be included in the conclusion). [24]

Second, an autopsy (internal examination). A thorough autopsy is performed by opening the skull, neck, chest, abdomen, and pelvis. The examination can determine the victim's cause of death, the type of injury or abnormality, the type of violence that caused it, and the estimated time of death. If an autopsy (internal examination) is included, the investigator is required to notify the victim's family, in accordance with Article 134 paragraph [1] of the Criminal Procedure Code, and explain the purpose and objectives of the examination, in accordance with Article 134 paragraph [2] of the Criminal Procedure Code. 9 [25, 26] If there is no response from the family within two days or the party requiring notification is not found, the investigator will immediately implement the provisions referred to in Article 133 paragraph [3], in accordance with Article 134 paragraph [3] of the Criminal Procedure Code. [27] The body being examined may also be a body obtained from a grave excavation, in accordance with Article 135 of the Criminal Procedure Code.

5.4. Function of the Visum et Repertum

Article 184 paragraph (1) of the Criminal Procedure Code states that valid evidence is witness testimony, expert testimony, letters, clues, and the defendant's testimony. Expert testimony provided by a forensic specialist will naturally have a greater burden of proof than testimony provided by a non-forensic specialist. Testifying as evidence by a doctor is very different from testifying as evidence by someone who is not a doctor. What a doctor witnesses, hears, and sees constitutes a legal act with legal consequences. [28] The consideration is that what he or she does is requested, while his or her actions are based on his or her knowledge. These two factors are what make everything related to the testimony of a victim of a crime valid as evidence. Article 133 paragraphs [1] and [2] of the Criminal Procedure Code (KUHP) states [29, 30].

a. If an investigator, for the benefit of the court, handles a victim, whether injured, poisoned, or dead, suspected to be due to an incident that constitutes a crime, he or she has the authority to request expert testimony from a forensic physician or a doctor or other expert.

b. The request for expert testimony as referred to in paragraph [1] must be made in writing, with the letter expressly stating that it is for an examination of the wounds, a post-mortem examination, and/or an autopsy.

Visum et repertum can play a role in the process of proving a criminal case. [31] Visum et repertum functions as valid evidence in the trial process, in the form of expert testimony, letters and instructions. In the explanation of Article 133 paragraph [2] of the Criminal Procedure Code, it is stated that "Expert testimony given by a forensic medical expert is called expert testimony, while testimony given by a doctor who is not a forensic medical expert is called testimony." This is clarified in the Decree of the Minister of Justice of the Republic of Indonesia No. M.01.PW.07.03 of 1982 concerning Guidelines for the Implementation of the Criminal Procedure Code (KUHP) which explains that statements made by non-expert doctors are indicative evidence. Thus, all results of visum et repertum issued by forensic specialist doctors and non-forensic specialist doctors are valid evidence in accordance with Article 184 paragraph [1] of the Criminal Procedure Code. [32, 33]

5.5. Definition of the Crime of Murder

Murder is an act or action committed by one or more individuals that results in the death of that individual or several individuals. Terminologically, murder means the act of killing or the act of killing. Murder is considered a material crime if the offense is completed by the perpetrator, resulting in a prohibited or unintended consequence. Therefore, one cannot speak of the crime of murder unless the death of another person is realized. If the intention to take another person's life is not realized, it can be considered attempted murder. [34]

5.6. Types of Murder

The types of murder crimes defined in the Indonesian Criminal Code are as follows [35]

a) *Murder (Article 338 of the Indonesian Criminal Code)*, which states, "Anyone who intentionally takes the life of another person shall, being guilty of murder, be punished by a maximum imprisonment of fifteen years."

b) *Aggravated Murder (Article 339 of the Criminal Code)* states:

Murder that is followed, accompanied, or preceded by a crime, committed with the intention of preparing or facilitating its execution, or to free oneself or other participants from punishment if caught in the act, or to ensure control of goods obtained unlawfully, is punishable by life imprisonment or a fixed term of imprisonment, up to twenty years.

c) *Premeditated Murder (Article 340 of the Criminal Code)*, states:

"Anyone who intentionally and with premeditation takes the life of another person, shall, being guilty of premeditated murder, be punished by death or life imprisonment or a fixed term of imprisonment of up to twenty years."

d) *Infanticide by the Mother (Article 341 of the Criminal Code)*, states:

"A mother who, out of fear of discovery of her childbirth, at the time of its birth or shortly thereafter, intentionally takes the life of her child, shall be guilty of infanticide, and shall be punished by a maximum imprisonment of seven years." [36]

e) *Premeditated Infanticide (Article 342 of the Criminal Code)*, states:

A mother who, out of fear of discovery of her childbirth, at the time of its birth or shortly thereafter, takes the life of her child, shall be guilty of premeditated infanticide, and shall be punished by a maximum imprisonment of nine years.

f) *Murder at the Request of the Person (Article 344 of the Criminal Code)* states, "Anyone who takes the life of another person at that person's request, clearly and sincerely expressed, shall be punished by a maximum imprisonment of twelve years."

g) *Inducing/Assisting Suicide (Article 345 of the Criminal Code)* states, "Anyone who intentionally encourages another person to commit suicide, assists them in doing so, or provides them with the means to do so shall be punished by a maximum imprisonment of four years if the person commits suicide."

h) *Abortion with the Mother's Consent (Article 346 of the Criminal Code)* states, "A woman who intentionally aborts or terminates her pregnancy or instructs another person to do so shall be punished by a maximum imprisonment of four years."

i) *Abortion Without the Mother's Consent (Article 347 of the Criminal Code)* states [37]

1) Anyone who intentionally causes an abortion or death of a woman's pregnancy without her consent shall be punished by a maximum imprisonment of twelve years.

2) If the act results in the death of the woman, the punishment shall be a maximum imprisonment of fifteen years.

j) *Termination of a Pregnancy with the Consent of the Pregnant Woman (Article 348 of the Criminal Code)* states:

1) Anyone who intentionally causes an abortion or terminates the pregnancy of a woman without her consent shall be punished by a maximum imprisonment of five years and six months.

2) If the act results in the death of the woman, he or she shall be punished by a maximum imprisonment of seven years.

k) *Doctor/Midwife/Pharmacist Assisting in Abortion/Termination of a Pregnancy (Article 349 of the Criminal Code)* states:

If a doctor, midwife, or pharmacist assists in committing a crime under Article 346, or commits or assists in committing one of the crimes described in Articles 347 and 348, the penalty prescribed in that article may be increased by one-third, and the right to engage in the profession in which the crime was committed may be revoked. [38]

5.7. The Crime of Murder in the Criminal Code and the Criminal Code

With the enactment of Law Number 1 of 2023 concerning the Criminal Code (KUHPN), there have been changes or differences in the provisions of articles related to murder, namely the difference between Article 338 of the Criminal Code and Article 458 of the Criminal Code. Article 338 of the Criminal Code states, "Anyone who intentionally takes the life of another person shall be punished, as murder, with a maximum imprisonment of fifteen years." The Criminal Code states, "(1) Any person who takes the life of another person shall be punished, as murder, with a maximum imprisonment of 15 (fifteen) years; (2) If the crime referred to in paragraph (1) is committed against a mother, father, wife, husband, or child, the sentence may be increased by 1/3 (one-third)." [39, 40]

Similarities between Article 338 and Article 458:

6. Substance of the Crime

Both articles regulate the crime of murder, namely the act of someone taking the life of another person.

7. Criminal Threat

The penalty stipulated in both articles remains the same, namely imprisonment with a maximum of 15 years.

Differences between Article 338 and Article 458:

7.1. Structure and Wording of the Article

a) Article 338 of the Criminal Code uses the term "Whoever," while Article 458 of the Criminal Code uses the term "Everyone." This seems inclusive or non-discriminatory.

b) Article 338 of the Criminal Code consists of only one simple sentence that directly stipulates the criminal penalty, while Article 458 of the Criminal Code has an additional provision in paragraph two.

c) Article 338 of the Criminal Code clearly mentions the word "intentionally," while Article 458 of the Criminal Code does not explicitly state that murder is committed intentionally.

7.2. Criminal Sentence Increases in Article 458 of the Criminal Code

a) Article 338 of the Criminal Code does not specifically stipulate a heavier penalty if the victim is a family member.

b) However, Article 458 of the Criminal Code adds paragraph (2), which states that if the murder is committed against a mother, father, wife, husband, or child, the sentence may be increased by one-third of the

principal sentence. Therefore, the perpetrator can be sentenced to a maximum of 20 years in prison. [41, 42]

With the introduction of Article 458 of the Criminal Code, the rules regarding murder have become more detailed and more relevant to social conditions. In addition to clarifying the legal wording, Article 458 also provides greater protection for nuclear family members by imposing increased penalties for perpetrators who kill their own family members. [43] In contrast, under Article 338 of the Criminal Code, murder is treated equally regardless of the relationship between the perpetrator and the victim. This change reflects Indonesia's criminal law efforts to be more adaptive and favor justice for victims, especially within the family. [44, 45]

8. The Role of the Visum et Repertum in Revealing the Crime of Murder in Case Decision Number 564/Pid.B/2022/PN.Cib

A post-mortem examination (Visum et Repertum) is written evidence prepared by a forensic doctor based on a medical examination of a victim or corpse, whether alive or dead, for the purpose of enforcing criminal law. In the context of the crime of murder, as stipulated in Article 338 of the Criminal Code (KUHP), a post-mortem examination plays a crucial role in proving the elements of the crime, particularly the element of "intentionally taking the life of another person" and linking the perpetrator's actions to the victim's death. Based on the judge's considerations in decision number 564/Pid.B/2022/PN.Cib and the conclusions of the post-mortem examination, the following is a discussion of the role of the post-mortem examination in this case: [46].

8.1. The Role of the Post-mortem Examination as Evidence in the Investigation Process

According to Article 184 paragraph (1) of the Criminal Procedure Code, valid evidence in a criminal case includes witness testimony, expert testimony, letters, clues, and the defendant's testimony. A post-mortem examination falls under the category of written evidence as stipulated in Article 187 of the Criminal Procedure Code, which has formal evidentiary force because it is prepared by an authorized official based on professional expertise. In Case Decision Number 564/Pid.B/2022/PN.Cib, visum et repertum Number R/202/Sk.B/VII/2022/IKF dated July 25, 2022 issued by the Bhayangkara Hospital Level I Pusdokes Polri Forensic Medicine Installation, concluded that:

- a) The victim's body was that of a woman aged approximately 15-25 years, who had been buried for 15 days in a state of advanced decomposition;
- b) There were bruises on the lips and neck, accompanied by blood seepage into the subcutaneous connective

tissue and neck muscles due to blunt force trauma;

- c) The cause of death was blunt force trauma to the neck, which obstructed the airway, resulting in the victim's death. This conclusion confirms that the victim's death was not due to natural causes, but rather to external force. These findings provide investigators with material evidence to:

- 1) Determine whether the death was unnatural.

The post-mortem examination confirmed that the victim's death was not due to natural causes, but to external force. This provided investigators with the basis for suspecting murder.

- 2) Link the perpetrator's actions to the death.

The defendant's confession that he strangled the victim until she could not breathe is consistent with the post-mortem examination findings of blunt force trauma to the neck. This strengthens the suspicion that the defendant was the perpetrator of the murder.

- 3) Identify the type of violence.

The findings of bruising and blood seepage indicate that the violence was physical and intentional, not accidental or negligent.

Thus, the post-mortem examination (visum et repertum) is key evidence in the investigation phase to determine the defendant as a suspect for alleged violation of Article 338 of the Criminal Code, which states: "Anyone who intentionally takes the life of another person shall be punished by murder with a maximum imprisonment of fifteen years."

8.2. The Role of the Post-mortem Examination in the Prosecution Process

During the prosecution phase, the prosecutor uses the post-mortem examination as the basis for drafting the indictment. The judge's considerations state that the prosecutor submitted the post-mortem examination as the sole documentary evidence, without expert testimony or other evidence. The post-mortem examination plays a crucial role in:

- a. Proving the element of intent.

The post-mortem examination finding that blunt force was applied to the neck indicates that the perpetrator acted with intent to cause death. Strangling the neck to the point of suffocation requires force and clear intent, thus fulfilling the element of "intentionally" in Article 338 of the Criminal Code.

- b. Connecting the act with the consequence.

The post-mortem examination scientifically proved that the victim's death was caused by airway obstruction due to blunt force, which is consistent with the defendant's confession about strangling the victim's neck.

The prosecutor sought a 10-year prison sentence, which is less than the maximum sentence of 15 years. This is likely influenced by the fact that the murder occurred in the context of a marital relationship with an emotional background

(heartache due to infidelity). The post-mortem examination remains the primary basis for proving that the defendant's actions fulfill the elements of the crime of murder.

8.3. The Role of the Post-mortem Examination in Trial

During trial, the judge uses the post-mortem examination as evidence to establish a conviction of the defendant's guilt. Based on the judge's considerations, the defendant's confession is consistent with the post-mortem examination findings, which confirm that:

- a) Blunt force to the victim's neck caused death by asphyxiation.
- b) There is no indication of another cause of death, such as illness or accident, that could invalidate the murder charge.

The post-mortem examination has high evidentiary weight due to its scientific and objective nature. Documentary evidence such as the post-mortem examination is considered valid as long as there is no strong objection from the defendant. In this case, the defendant did not object to the charges or the evidence, including the post-mortem examination, so these forensic findings were accepted as legal fact. The post-mortem examination also helped the judge reject the possible defense that the death was accidental. The defendant's confession that he pushed the victim's stomach, slapped her, covered her mouth, and strangled her neck showed a series of deliberate actions, which were reinforced by the findings of the post-mortem examination regarding bruises and blood seepage on the neck. [47]

8.4. Forensic Challenges and the Strength of the Post-mortem Examination

Examining a body in a state of advanced decomposition after 15 (fifteen) days of burial presents a significant forensic challenge. However, in this case, the forensic doctor was still able to identify signs of blunt force trauma to the neck, bruising on the lips, and blood seepage into the connective tissue. This demonstrates the professionalism and thoroughness of the forensic examination, strengthening the credibility of the post-mortem examination as evidence.

In this case, the post-mortem examination meets the principle of material truth because it provides objective facts that do not rely on the subjective testimony of witnesses or the accused. The post-mortem examination serves as a link between the defendant's confession, witness testimony, and the material facts, thus establishing sufficient evidentiary strength to convict the defendant. In short, it can be concluded that the post-mortem examination's role in this case is:

- a) Scientific evidence to prove the crime of murder;
- b) A tool to connect the defendant's actions (strangling the

neck) with the victim's death;

- c) A basis for rejecting defenses inconsistent with the forensic facts;
- d) Legal facts corroborated by witness testimony and the defendant's confession.

Therefore, in this case, the post-mortem examination (visum et repertum) is a key pillar in the evidentiary process at all stages of the criminal justice system, from investigation and prosecution to trial, to ensure that the defendant is found legally and convincingly guilty under Article 338 of the Criminal Code. [48]

9. Conclusion

The Role of the Post-mortem Examination in Uncovering Murder.

Post-mortem examination No. R/202/Sk.B/VII/2022/IKF, dated July 25, 2022, issued by the Bhayangkara Hospital Level I, National Police Medical Center, Forensic Medicine Installation, plays a central role in uncovering murder as stipulated in Article 338 of the Criminal Code. Post-mortem examinations serve as scientific, objective written evidence and have the force of formal proof under Article 187 of the Criminal Procedure Code. In Case Decision No. 564/Pid.B/2022/PN.Cib, the post-mortem examination provided important material facts, namely:

- a) The body of the victim, a woman aged approximately 15-25, was found in a state of advanced decomposition 15 days after burial, but signs of violence were still identifiable.
- b) Bruising on the lips and neck, along with blood seepage into the subcutaneous connective tissue and neck muscles, indicates blunt force trauma.
- c) The cause of death was suffocation due to air being obstructed from entering the respiratory tract due to smothering and blunt force to the neck (strangulation). During the investigation phase, the post-mortem examination (visum et repertum) served as the basis for the investigators to determine the defendant as a suspect, as it proved that the victim's death was unnatural and not caused by external forces. During the prosecution phase, the post-mortem examination strengthened the prosecutor's charges by linking the defendant's actions (pushing the stomach, slapping, gagging, and strangling the neck) to the victim's death. At trial, the post-mortem examination supported the defendant's confession and witness testimony, thus convincing the judge that the elements of Article 338 of the Criminal Code were met, namely: "intentionally taking the life of another person." The accuracy of the post-mortem examination findings, even performed on a body in an advanced state of decomposition, demonstrated the professionalism of the forensic doctor and strengthened the credibility of the post-mortem examination as irrefutable evidence. Thus, in this case,

the visum et repertum is the main pillar in the formal evidentiary system of the Criminal Procedure Code, ensuring that the defendant is found guilty legally and convincingly.

Abbreviations

ICPC	Indonesian Criminal Procedure Code
NCC	National Criminal Code
CC	Criminal Code
PN (DC)	Pengadilan Negeri (District Code)
IKF (FM)	Ilmu Kedokteran Forensik (Forensic Medicine)

Author Contributions

Henny Saida Flora: Conceptualization

Maidin Gultom: Investigation

Ica Karina: Methodology

Conflicts of Interest

The authors declare no conflicts of interest.

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