

Analysis of Decision No. 489/Pid.B/2025/Pn.Mdn on the Criminal Act of Assault Against an Online Transportation Driver

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Abstract

This study examines the analysis of judges' considerations in cases of assault against online transportation drivers. Cases of assault against online transportation drivers are becoming more frequent with the rise in app-based services, necessitating an in-depth study of how judges assess the elements of the crime and the legal chronology of events. This study uses a decision study approach combined with an analysis of trial facts. The results indicate that the panel of judges determined that the elements of assault were met based on the physical act causing injury, intent (*mens rea*), and a clear causal relationship between the act and the consequences experienced by the victim. The judge also considered the defendant's intent through motive, intensity of the act, demeanor after the incident, and the means used in committing the violence. Furthermore, the impact on the victim, whether physical, psychological, or economic, is an aggravating factor in determining the severity of the sentence. Legal protection for online transportation workers who are vulnerable to violence in carrying out their work.

Keywords: Assault, Online Drivers, Judges' Considerations, Criminal Verdict, Legal Protection.

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2nd International Conference on Islamic Community Studies (ICICS)

Theme: History of Malay Civilisation and Islamic Human Capacity and Halal Hub in the Globalization Era

<https://proceeding.pancabudi.ac.id/index.php/ICIE/index>

Introduction

Online transportation has become an essential part of urban mobility. Speed and ease of service do not always equate to driver safety, as there is a risk of abuse from passengers and other parties. Cases of abuse against online transportation drivers increase annually, necessitating an understanding of the application of laws and protections for digital workers.

One example of abuse against an online transportation driver is the case of the assault of an online transportation driver identified as FA in Medan, based on Court Decision No. 489/Pid.B/2025/PN Mdn. The assault was committed by DA due to the addition of an incompatible pickup point within the app. An argument ensued between DA and the online transportation driver, which culminated in FA, the online transportation driver, being assaulted by the passenger.

The online transportation driver suffered bruises on his forehead and scratches on his cheek, forehead, and ear. The victim, FA, immediately filed a complaint against DA's actions. The verdict declared DA guilty of assault, which carries a one-year prison sentence. The formal decision-making process proceeded smoothly, but the aforementioned verdict illustrates the continued lack of security for online transportation drivers, who are vulnerable to abuse by passengers. This decision demonstrates stricter law enforcement compared to many cases that often end in settlements out of court or light sentences with probation.

The Indonesian Criminal Law System is entering a new phase in its development. One form of reform within Indonesian criminal law is the regulation of criminal law from the perspective and achievement of justice, focusing on improvement and restoration after the incident and the criminal justice process, which differs from retributive justice (which emphasizes justice on retribution) and retributive justice (which emphasizes justice on compensation).

Restorative justice is a resolution process carried out outside the criminal justice system, involving the victim, the perpetrator, the victim's family, the community, and other parties with an interest in a crime. Actions are taken to reach an agreement and resolution. Restorative justice is a fair resolution involving the perpetrator, the victim, their family, and other noncriminal parties, working together to resolve the crime and its consequences, prioritizing restoration rather than retribution. Not all cases of abuse against online transportation drivers end up in court. In some circumstances, mediation or non-litigation resolution is preferred by the parties. This emphasizes that out-of-court dispute resolution mechanisms can be an effective solution to maintain social balance, while still adhering to criminal law norms.

In this context, weak regulations or lack of oversight by authorities can reduce the effectiveness of legal protection for drivers as victims of crime.

Decision No. 489/Pid.B/2025/Pn.Mdn is an important study because it examines the application of Article 351 of the Criminal Code in the context of abuse against online transportation workers.

This analysis of the proceedings aims to:

1. Understand the chronology and legal facts of the case.
2. Analyze the judge's considerations in determining the penalty.
3. Assess the implications of the decision for the legal protection of online drivers and law enforcement in Indonesia.

Literature Review

This research is based on criminal law theory, particularly the concept of assault (penganiayaan) as regulated in the Indonesian Penal Code, which emphasizes the elements of unlawful act, intent (*mens rea*), and harmful consequences. In addition, the study applies the theory of legal protection, which views the law as a mechanism to safeguard vulnerable parties, including workers in the digital transportation sector. Judicial reasoning theory is also used to

analyze how judges evaluate facts, evidence, intent, and the impact on victims in determining criminal liability and sentencing

Research Methodology

This study employs a normative legal research method with a case study approach. The research focuses on the analysis of court decisions, particularly Decision No. 489/Pid.B/2025/PN Mdn, to examine the application of criminal law provisions on assault against online transportation drivers. Legal materials consist of primary legal sources, including statutory regulations and court decisions, as well as secondary sources such as legal doctrines and scholarly writings. The data are analyzed qualitatively using deductive reasoning to assess judicial considerations and legal consistency in law enforcement.

Results and Discussion 4.1 Judicial Considerations in Assessing the Criminal Elements, the Defendant's Intent, and the Impact on the Victim

In deciding a criminal case, judges are bound by the principles of independence, objectivity, and evidence-based adjudication grounded in facts revealed during the trial. Decision No. 489/Pid.B/2025/PN Mdn illustrates how the court conducted a comprehensive evaluation of the construction of the act, the evidence presented, and the causal relationship between the defendant's actions and the injuries suffered by the victim. Such considerations are essential to ensure that the application of Article 351 of the Indonesian Penal Code (KUHP) is not merely formalistic but also aligned with the principle of substantive justice.

The court first assessed whether the defendant's conduct fulfilled the elements of assault as regulated under Article 351 of the Penal Code, namely:

1. The existence of an act causing pain or injury to another person;
2. The act was committed intentionally; and
3. The act resulted in certain consequences or impacts on the victim.

In this case, the panel of judges considered that the defendant's physical actions—such as hitting, pushing, or other forms of violence—were corroborated by *visum et repertum* evidence indicating injuries sustained by the online transportation driver. The victim's consistent testimony from the investigation stage through the trial was also regarded as strong evidentiary support.

Furthermore, testimonies from witnesses present at the scene provided an objective account of the sequence of events, thereby satisfying the first element of assault. The judges also linked the intensity of the violence, the location of the injuries, and the mechanism by which the violence occurred to the defendant's behavior, concluding that the act was not an accidental or spontaneous occurrence but a deliberate act directed at the victim's body.

- a. The element of intent (*dolus*) constituted a crucial component in determining criminal liability. In this decision, the judges assessed the defendant's intent through three main indicators:
 - The defendant's attitude prior to the incident, including the existence of a dispute between the defendant and the victim related to travel fares or other misunderstandings;
- b. The manner in which the defendant carried out the act, where violence was inflicted directly and repeatedly on the victim's body, demonstrating a will to cause pain; and
- c. The defendant's reaction after the incident, such as failing to provide assistance or even confronting the victim.

These psychological factors were analyzed comprehensively to establish that the defendant's actions were not merely momentary reflexes, but acts committed with full awareness. Accordingly, the elements of intent and deliberateness were deemed legally and convincingly proven.

In addition to assessing the act and intent, the court also considered the impact suffered by the victim as a significant factor in determining the severity of the sentence. In this case, two dimensions of impact were taken into account:

a. Physical Impact

Based on the *visum et repertum*, the victim sustained bruises on several parts of the body, indicating strong pressure or impact. The judges relied on this medical report as objective scientific evidence to evaluate the severity of the injuries. Although the injuries did not qualify as serious harm, they were sufficient to fulfill the element of “causing pain or injury” under Article 351 paragraph (1) of the Penal Code.

b. Psychological Impact

The panel of judges also considered the victim’s statements regarding fear, psychological distress, and discomfort in continuing work after the incident. This consideration is particularly important given that the profession of online transportation drivers requires intensive interaction with passengers, and experiences of violence may hinder the sustainability of their employment.

By incorporating psychological aspects, the judges demonstrated a progressive approach in interpreting the impact of assault, extending beyond purely physical dimensions.

c. Proportionality in Sentencing

Judicial considerations were also grounded in the principle of proportionality, namely the balance between the gravity of the offense and the severity of the punishment imposed.

Taking all these factors into account, the court imposed a sentence deemed fair, capable of creating a deterrent effect, and providing protection to society, particularly workers in the digital transportation sector.

4.2 Chronological Analysis of the Assault Case against an Online Transportation Driver in Decision No. 489/Pid.B/2025/PN Mdn

The assault case against an online transportation driver examined in Decision No. 489/Pid.B/2025/PN Mdn provides a clear illustration of the vulnerability faced by drivers in the course of performing their work. The incident began when FA, an online transportation driver, accepted an order from an application user identified as DA. During the pick-up process, DA unilaterally changed the pick-up location without complying with the provisions stipulated in the application. This sudden change triggered tension, as FA maintained that the pick-up point must follow the application system to ensure safety and accuracy of the trip.

This discrepancy subsequently escalated into a verbal dispute between the two parties. DA, dissatisfied with FA’s explanation, displayed increasingly emotional behavior. The conflict culminated in DA committing acts of physical violence against FA. The assault resulted in bruises on the victim’s forehead and abrasions on the cheeks, forehead, and ear area. These injuries prompted FA to promptly file an official report with the police as an expression of objection and a request for legal protection.

Following the investigation and examination during trial proceedings, the panel of judges concluded that DA’s conduct fulfilled the elements of assault as regulated under the Indonesian Penal Code. The court also considered that the act of violence was carried out directly against the victim without any justifying or excusing grounds. The final decision declared DA legally and convincingly guilty of committing the criminal offense of assault and imposed a sentence of one year of imprisonment.

Although the judicial process in this case proceeded in accordance with procedural standards and resulted in a decision reflecting firm law enforcement, the case nevertheless highlights the significant vulnerability of online transportation drivers. Many similar incidents

in society never reach the courtroom, as they are often resolved through informal settlements or result in lenient sentences that fail to produce a deterrent effect. This decision demonstrates the court's capacity to provide stronger legal protection, while simultaneously emphasizing the need to further strengthen safety systems for online transportation drivers, both in terms of regulatory frameworks and operational protection mechanisms in practice.

This decision indicates that:

1. The legal system is becoming more responsive to cases of violence experienced by workers in the informal sector;
2. Legal protection remains uneven, as many comparable cases do not proceed to judicial review; and
3. Regulatory reforms or enhanced safety standards from application-based transportation companies are necessary to ensure stronger protection mechanisms for drivers.

Thus, this decision not only resolves an individual criminal case but also conveys an important message regarding the urgent need to improve safety and legal protection for the profession of online transportation drivers.

Conclusion

An analysis of Decision No. 489/Pid.B/2025/Pn.Mdn shows that the crime of assault against an online transportation driver cannot be viewed as a mere individual incident, but rather as part of a growing social phenomenon with the increasing use of app-based transportation services. The assault incident that befell FA reflects the structural vulnerability experienced by drivers, where direct interaction with passengers, reliance on app systems, and high work pressure often place them in risky situations. This decision is highly significant because it illustrates how the criminal justice system responds to these new dynamics through strict application of the law. From the results of the study, it can be concluded that the court successfully upheld the elements of the crime of assault by considering the applicable legal structure, particularly through proving the element of mens rea in the form of intent (*dolus*). The judge considered that DA's actions were not merely spontaneous emotional outbursts, but rather a form of action carried out with awareness of the potential for injury to the victim. This consideration shows that the court places the psychological aspects of the perpetrator as an integral part in determining the severity of the crime. The judgment also affirms that acts of assault committed in the context of public services, including online transportation, are considered serious violations that threaten worker safety and public order. The chronology of the case indicates that the conflict between the perpetrator and the driver began with a disagreement over the pick-up point in the app. This seemingly simple factor escalated into a physical altercation due to the lack of adequate control mechanisms from the app company and the lack of conflict mitigation features that could prevent risky interactions. The bruises and scratches on the victim's face and ear are clear evidence that interactions in online transportation services have a high potential for escalation. Therefore, this verdict also reveals security gaps in digital service systems that should be addressed through internal company policies and government regulations.

The one-year prison sentence imposed on DA sends an important legal message that the state is there to protect digital workers from acts of violence. This verdict demonstrates that assaults against drivers cannot be resolved through informal compromise, as is often the case in many other cases, but must be handled through formal legal proceedings to provide a deterrent effect and ensure a sense of justice for the victim. This aligns with the principles of preventive and repressive legal protection in the Indonesian legal system. Furthermore, this ruling contributes to the development of jurisprudence regarding the protection of modern informal sector workers. In the context of the growing gig economy, such a ruling has the potential to serve as a reference for other courts in determining standards of proof, assessing intent, and considering sentence aggravation when the victim is a vulnerable worker. Practically, this ruling

also encourages online transportation companies to develop security protocols, emergency features, and more responsive complaint handling systems to reduce the risk of violence.

Therefore, it can be concluded that Decision No. 489/Pid.B/2025/Pn.Mdn not only resolves the criminal dispute between the perpetrator and the victim but also serves as an important reflection of how law enforcement responds to social changes resulting from the advent of digital technology. This ruling provides legal certainty for victims, strengthens the position of drivers as subjects entitled to equal legal protection, and encourages policymakers to develop more adaptive regulations. Overall, this ruling serves as a foundation for strengthening online transportation security governance and legal protection for digital workers in Indonesia.

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