Fabricating an Alibi as a Form of Obstruction of Justice in Homicide: An Analysis of the 2024 Palembang Junior High School Student Case

Aldina Yolanda[1*], Aril Saptian[1], Aldiansyah[1], Satrio Muhtarom[1], A. Rohim[1]

[1]Faculty of Sharia and Law, Raden Fatah State Islamic University Palembang
*Email: yolandaaldina792@gmail.com

ABSTRACT

This study aims to analyze fabricated alibis as a form of obstruction of justice in homicide cases through the case study of the murder of a junior high school student in Palembang in 2024. This research employs a normative legal method using statutory, conceptual, and case approaches. Data were collected through library research involving legislation, legal literature, and relevant scholarly works. The findings indicate that a fabricated alibi constitutes the provision of false information intended to conceal facts and hinder the law enforcement process. From the perspective of Indonesian criminal law, such conduct can be classified as obstruction of justice because it interferes with investigations, prosecutions, and court proceedings. The murder case of the junior high school student in Palembang demonstrates that efforts to conceal evidence through fabricated alibis can obstruct the search for material truth. Therefore, firm law enforcement against both homicide perpetrators and individuals involved in obstructing judicial processes is necessary to ensure justice and legal certainty.

***Keywords**: fabricated alibi, obstruction of justice, homicide, Indonesian criminal law*

INTRODUCTION

Homicide is a highly serious criminal offense because it not only claims a human life but also inflicts broad social impacts on the victim's family and society. The law enforcement process in homicide cases relies heavily on the veracity of facts and the pieces of evidence obtained by investigators. However, this process frequently encounters various obstacles, one of which is deliberate actions taken to conceal facts, such as fabricating an alibi. According to Lubis & Sinaga (2023), obstruction of justice is an act aimed at hindering, impeding, or thwarting the law enforcement process, thereby obstructing the achievement of justice. In Indonesian criminal law, such actions are linked to the provisions of Article 221 of the Criminal Code (Kitab Undang-Undang Hukum Pidana / KUHP), which regulates the act of assisting a perpetrator in evading legal proceedings. Consequently, such behavior can be deemed a serious crime that must be addressed to ensure that justice is achieved within the law enforcement process.

Fabricating an alibi is one method used to obstruct judicial proceedings by concocting false narratives regarding a person's whereabouts at the time a crime occurred. This method is frequently utilized by perpetrators, witnesses, or other individuals who deliberately provide false information to complicate the investigative process. As a result, police officers and prosecutors require more time to uncover the truth. A fabricated alibi not only slows down the judicial process but can also result in the loss or destruction of critical evidence. Within judicial proceedings, a fabricated alibi can have a profound impact. The individuals involved in this fabrication can make it difficult for investigators to discover genuine evidence, thereby rendering the judicial process ineffective and inefficient.

The phenomenon of homicides involving minors has once again shocked the public. The murder case of a junior high school student in Palembang in 2024 has drawn significant attention because the perpetrators were still children. This demonstrates that the criminal offense of homicide is frequently accompanied by efforts to evade punishment. From a criminological

standpoint, the act of creating a false alibi can be considered a rational behavior by the perpetrator to reduce the risk of detection and punishment. Therefore, law enforcement authorities need not only to uncover the facts of the homicide but also to investigate the possibility of actions obstructing the legal process before, during, and after the commission of the crime. This case also underscores the importance of law enforcement personnel working more diligently to uncover similar cases. By doing so, it is expected to provide a deterrent effect to criminal offenders and reduce crime rates in society.

Providing false testimony can disrupt the examination process and is considered a component of obstruction of justice. This is because false statements impede the pursuit of truth within judicial proceedings. Information that does not align with the facts can hinder the investigation, prolong the burden of proof process, and disrupt the effectiveness of law enforcement. Obstruction of justice is fundamentally an act that intentionally hinders or thwarts legal processes. In this context, fabricating an alibi can be considered a concrete form of obstructing judicial proceedings (Ali & Mansyah, 2019).

METHODOLOGY

This study employs a normative legal research type (yuridis normatif) utilizing a statute approach, a conceptual approach, and a case approach (Widiarty, 2024). Normative legal research was selected because this study focuses on examining the legal norms regulating the criminal offense of homicide and obstruction of justice within the Indonesian criminal law system. The statute approach is conducted by reviewing various legal provisions related to the criminal offense of homicide and acts obstructing judicial proceedings, while the conceptual approach is used to analyze the concept of fabricated alibis as a form of obstruction of justice. Meanwhile, the case approach is carried out through a study of the homicide case of the junior high school student in Palembang in 2024 as the object of research.

The research data sources comprise primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include the Criminal Code (KUHP) and relevant statutory legislation, while secondary legal materials are obtained from books, scholarly journals, articles, and research findings related to the criminal offense of homicide and obstruction of justice. Tertiary legal materials consist of legal dictionaries, encyclopedias, and other reference sources that support the research. The data collection technique is conducted through library research, namely by collecting, reviewing, and analyzing various literature and documents relevant to the research problems. The gathered data is then analyzed qualitatively by expounding upon, interpreting, and connecting legal provisions with the discovered facts to arrive at a systematic and comprehensive conclusion.

RESULTS AND DISCUSSION

Concepts and Theories of Obstruction of Justice in Criminal Law

The term "obstruction of justice" originates from the Anglo-Saxon (Common Law) legal system. It signifies the act of hindering or thwarting the law enforcement process. In Indonesian criminal law, this concept is known as the criminal offense of obstructing legal proceedings (*tindak pidana merintangi proses hukum*). According to Afifah & Yuslita Julianis (2023), obstruction of justice is an action that hinders legal processes. This action can be directed by law enforcement personnel against witnesses, suspects, or defendants. Examples of obstruction of justice include intervening in investigations, prosecutions, or court examinations.

From a criminal law perspective, obstruction of justice is deemed a criminal offense because it fulfills several baseline requirements. An action can be classified as obstruction of justice if it meets several elements, namely: the existence of an act prohibited by law, committed unlawfully, containing an element of fault (*schuld*), and perpetrated by an individual who must be held legally accountable for their actions. Obstruction of justice

constitutes an action taken to hinder or halt ongoing legal proceedings. This can occur at the stages of inquiry, investigation, prosecution, or trial before a court. Thus, this criminal offense does not merely pertain to the resulting consequences but also concerns the intent and awareness of the perpetrator to disrupt the legal process (Junianto, 2019).

There are three vital elements in obstruction of justice. First, the action must be capable of causing a delay in the legal process. Second, the individual committing the act must know that a legal process is currently underway. Third, the action must be performed with the specific intent to obstruct the legal process. Forms of obstruction of justice include giving false testimony, destroying or concealing physical evidence, influencing witnesses or judges, and various other actions aimed at impeding the disclosure of truth within judicial proceedings (Suryadi & Zainal, 2023).

From a law enforcement standpoint, obstruction of justice is a severe threat that jeopardizes the principle of equality before the law and the pursuit of truth. Any individual, including defense counsels, can be held criminally liable if they commit actions that satisfy the elements of obstruction of justice. The right to professional immunity cannot be used as a justification to validate actions that obstruct the course of justice (Eno & Yossi Agnesia Napitupulu, 2025).

Fabricated Alibi as a Form of Obstructing Judicial Proceedings

An alibi is a method used by a defendant to prove that they were not present at the crime scene when the offense occurred. Within the criminal justice system, an alibi is utilized to protect the rights of the defendant and prevent wrongful prosecution, thereby ensuring that only the genuinely guilty party is held accountable.

According to Gultom et al. (2026), an alibi is a form of defense used by a defendant to prove their non-involvement in a crime by demonstrating that they were elsewhere when the crime took place. In the law of evidence, a valid alibi is an integral part of the defendant's right to defense; hence, an alibi cannot be deemed an unlawful act. A robust alibi can overturn the prosecutor's indictments if it is proven that it was physically impossible for the defendant to commit the crime. Consequently, an alibi becomes paramount in seeking the truth within the criminal justice process, as it helps ensure that decisions are rendered based on actual facts.

In criminal law, creating a false alibi can be regarded as an act of obstructing justice. Its objective is clear: to confound law enforcement authorities in their pursuit of truth. For instance, an individual might deliberately provide false statements regarding their whereabouts or request others to give untruthful testimony. Such actions can steer an investigation in the wrong direction and impede the evidence-gathering process. Alibis are frequently deployed as a defense strategy to cast doubt on a perpetrator's involvement in a crime. However, if the alibi is not based on facts and is intentionally fabricated to mislead, its function shifts from a tool of defense into an instrument to obstruct justice (Nugroho & Bakhtiar, 2024).

The primary objective of criminal procedural law is to seek material truth (*materiële waarheid*). This means we must uncover what actually transpired in a case. Therefore, any action attempting to conceal facts or fabricate false information threatens this objective. A prime example is the fabrication of an alibi. A false alibi contradicts the principle of seeking the truth because it attempts to supplant genuine facts with false information that benefits the perpetrator.

In law, there is a principle known as *in dubio pro reo*, which dictates that if there is reasonable doubt, the judge must render a decision favoring the defendant. However, this principle only applies if the doubt arises from a fair and lawful evidentiary process, rather than from facts that have been deliberately altered or fabricated. While the public prosecutor bears the burden of proof, every judicial decision must be predicated upon valid evidence and the judge's conviction obtained objectively (Aripin & Putri, 2024).

The Criminal Offense of Homicide from the Perspective of Indonesian Criminal Law

The criminal offense of homicide is a highly severe crime against human life. Under Indonesian criminal law, homicide is considered an intentional act to deprive another person of their life. Homicide falls under crimes against life, directly assaulting the right to life, which is the most fundamental human right. In Indonesia, the protection of the right to life is regulated in the Criminal Code. Homicide not only harms the victim but also disrupts public order and societal security. Therefore, the state imposes severe punishments on perpetrators of homicide. Indeed, homicide is an exceptionally serious crime that must be handled firmly; the state must protect its citizens and ensure that perpetrators receive commensurate punishment (Savira et al., 2026).

Indonesian criminal law regulates several types of homicide, which can occur due to various causes and differing circumstances. A baseline form of homicide is ordinary homicide (*pembunuhan biasa*), which is regulated under Article 338 of the Criminal Code (KUHP). Ordinary homicide is the act of intentionally depriving another person of their life without prior premeditation. In addition, there is premeditated murder (*pembunuhan berencana*), regulated under Article 340 of the Criminal Code. Premeditated murder is an action committed intentionally and with prior planning, meaning the perpetrator had time to think, weigh, and prepare their actions before executing the murder. According to Kholik et al. (2025), premeditated murder is considered the most egregious form of homicide due to the strong element of intent and calculated planning. Consequently, the punishment for premeditated murder is more severe than that for ordinary homicide, carrying penalties such as the death penalty, life imprisonment, or a maximum temporary imprisonment of twenty years.

Criminal liability is the legal consequence for an individual who commits a criminal offense. In Indonesia, a person can be penalized if they meet the criteria for capacity for liability (*toerekeningsvatbaarheid*) and commit an act with fault (*mens rea*). This concerns not only the physical act (*actus reus*) but also the psychological condition of the perpetrator at the time of the act. Criminal liability in modern legal systems is intertwined with the subjective fault of the perpetrator. An individual can be held liable if they are proven to have a guilty mind while committing the crime. However, if the perpetrator lacks the capacity for liability—for instance, due to a mental disorder as regulated under Article 44 of the Criminal Code—then criminal liability can be legally excluded (Darto et al., 2023).

The regulations concerning homicide in Indonesian criminal law are enshrined in the Criminal Code (KUHP) under the chapter "Crimes Against Life." Ordinary homicide is governed by Article 338 of the KUHP, defining acts that intentionally strip another person of their life. Meanwhile, premeditated murder is stipulated in Article 340 of the KUHP, requiring advance planning. The Criminal Code also regulates several other specific homicide cases, such as homicide at the request of the victim, infanticide by a biological mother, and assault resulting in death. Through these various provisions, Indonesian criminal law demonstrates that a perpetrator's degree of fault can vary based on intent, motive, the method of execution, and the resulting impact on the victim (Ulmuftia et al., 2024).

CONCLUSION

Based on the results of the study, it can be concluded that fabricating an alibi is a form of obstruction of justice that potentially hinders the law enforcement process in homicide cases. A fabricated alibi is executed by providing false testimony or creating information that does not align with the facts in order to mislead investigators and insulate the perpetrator from criminal liability. From the perspective of Indonesian criminal law, such actions run counter to the primary objective of the criminal justice system—namely, discovering material truth—and can thus be categorized as acts that obstruct justice and undermine the effectiveness of investigations, prosecutions, and trial examinations.

The study of the homicide case involving a junior high school student in Palembang in 2024 indicates that the criminal offense of homicide is frequently accompanied by efforts to eliminate traces or obscure facts through a fabricated alibi. Therefore, law enforcement authorities are required not only to prove the constituent elements of the homicide offense but must also trace the potential existence of obstruction of justice committed by either the perpetrator or other parties. Firm law enforcement against homicide perpetrators and parties involved in fabricating alibis is crucial to guarantee the achievement of justice, preserve the integrity of the judicial process, and provide legal certainty and a deterrent effect for any party attempting to obstruct the law enforcement process in Indonesia.

RECOMMENDATIONS

The recommendations derived from this study are as follows:

a. For the public, there is a need to increase legal awareness so as not to become involved in providing false testimony, concealing evidence, or taking other actions that can hinder judicial proceedings. The public is expected to support law enforcement efforts by providing truthful information and remaining cooperative with law enforcement personnel.
b. For future research, it is recommended to conduct empirical studies regarding the practices of fabricated alibis and obstruction of justice across various criminal offenses, particularly homicides, to obtain a more comprehensive overview of the causal factors, execution patterns, and the effectiveness of law enforcement against perpetrators who obstruct judicial proceedings in Indonesia.

REFERENCES

Afifah, Y., & Yuslita Julianis, D. (2023). Pertanggungjawaban Pidana terhadap Pelaku Obstruction of Justice dalam Perkara Tindak Pidana Kekerasan Seksual. *Jurnal Lex Renaissance*, *8*(1), 91–112. https://doi.org/10.20885/jlr.vol8.iss1.art6

Ali, L. O. B., & Mansyah, M. S. (2019). Penafsiran Keterangan Palsu dalam Persidangan Tindak Pidana Korupsi Kaitannya Kasus Obstruction of Justice: Kajian Putusan Nomor 14/Pid/Tpk/2015/Pt.Dki. *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial*, *16*(1), 61–78. https://doi.org/10.21154/justicia.v16i1.1499

Aripin, R., & Putri, R. T. (2024). Perlindungan Hak Terdakwa dalam Proses Hukum ditinjau dari prinsip Hukum "In Dubio Pro Reo". *Jurnal Kajian Hukum Dan Kebijakan Publik, 2*(1), 51–55.

Darto, A., Alam, A. S., & Purwaningtyas, F. D. (2023). Pertanggungjawaban pidana bagi pelaku tindak pidana pembunuhan pengidap gangguan kejiwaan dalam prespektif hukum pidana. *Jurnal Ilmu Hukum Wijaya Putra*, *1*(2), 257–264.

Eno, L. R., & Yossi Agnesia Napitupulu. (2025). Hak Imunitas Advokat pada Perbuatan Menghalangi Proses Peradilan (Obstruction of Justice) Terhadap Penyidikan Tindak Pidana Korupsi. *PESHUM : Jurnal Pendidikan, Sosial Dan Humaniora*, *5*(1), 2001–2009. https://doi.org/10.56799/peshum.v5i1.14416

Gultom, K. P., Raharjo, E., Amrullah, R., Andrisman, T., & Ginting, M. S. (2026). Validitas Bukti Alibi dalam Menggugurkan Pertanggungjawaban Pidana : Tinjauan Terhadap Kekeliruan Dakwaan Jaksa. *Al-Zayn: Jurnal Ilmu Sosial & Hukum*, *4*(3), 2043–2052.

Junianto, J. D. (2019). Obstruction of Justice dalam Pasal 21 Undang-Undang No. 31 Tahun 1999 Tentang Pemberantasan Tindak Pidana Korupsi. *Media Luris*, *2*(3), 335–352.

Kholik, M. A., Azazy, Y., & Najmudin, D. (2025). Analisis Sanksi Tindak Pidana Pembunuhan Berencana Dalam Putusan Nomor 305/PID.B/2024/PN RBI Perspektif Hukum Pidana Islam. *KARTIKA: Jurnal Studi Keislaman*, *6*(1), 66–79.

Lubis, F., & Sinaga, J. P. (2023). Analisis Obstruction Of Justice dalam Perspektif Hukum Pidana. *UNES Law Review*, *6*(2), 6591–6601.

Nugroho, A., & Bakhtiar, H. S. (2024). Pembuktian Ilmiah VS Alibi: Bagaimana Ilmu Forensik Mengatasi Tantangan Pembelaan pada Kasus Raden Adante. *Jembatan Hukum : Kajian Ilmu Hukum, Sosial Dan Administrasi Negara*, *1*(4), 86–94. https://doi.org/10.62383/jembatan.v1i4.955

Savira, E. A., Putra, T. H., Andayani, E. N., Seno, B. M., & Ribeiro, I. (2026). Tindak Pidana Pembunuhan dalam Perspektif Kacamata Hukum Pidana di Indonesia. *Jurnal Pustaka Cendekia Hukum Dan Ilmu Sosial Volume*, *4*(1), 1378–1396.

Suryadi, M. A., & Zainal, M. (2023). Analisis Perbuatan Menghalangi Proses Penyidikan, Penuntutan dan Peradilan (Obstruction Of Justice) dalam Sistem Pidana di Indonesia. *JUSTNESS Jurnal Hukum Politik Dan Agama*, *3*(2), 1–15.

Ulmuftia, N., Miftahurrahmah, M., Sari, M., Ramlan, Munthe, A. R. H., & Julian, F. (2024). Analisis Sanksi Terhadap Tindak Pidana Pencurian dalam Perspektif Hukum Positif Indonesia dan Hukum Pidana Islam. *FATHIR: Jurnal Studi Islam*, *1*(1), 72–83.

Widiarty, W. S. (2024). Metode Penelitian Hukum. In M. Tajuddin (Ed.), *RISTANSI: Riset Akuntansi*. Publika Global Media.