



## Setting the Deadline for Determining Suspects: A Comparative Study of the Draft Code of Criminal Procedure and *the Code of Criminal Procedure*

Rahmahwati Silvia Riani<sup>1\*</sup>, Adi Freddy Bawaeda<sup>2</sup>

<sup>1,2</sup> Faculty of Law, Universitas Universitas Borneo, Tarakan, Indonesia.

 : silviariani@ubt.ac.id

Corresponding Author\*



### Abstract

This article discusses the regulation on the limit for suspect determination based on the Indonesia Criminal Procedure Code Draft and the Code de procédure pénale (French Criminal Procedure Code). The purpose of this article is to determine the regulation on the time limit for suspect determination based on the Indonesian Criminal Procedure Code Draft and the French Criminal Procedure Code. This research uses a normative legal method with a statutory, conceptual, and comparative approach. Result of this study are the French Criminal Procedure Code Draft has not explicitly regulated the time limit for suspect determination, while the French Criminal Procedure Code regulates the time for suspect determination, which a maximum of 2 (two) years. The implication of not regulating the time limit for suspect determination will violate the principle of due process of law and universal human rights and the occurrence of arbitrary law enforcement officers in enforcing criminal procedure law.

**Keywords:** Criminal Procedure Code Draft; Code De Procédure Pénale; Limit For Suspect Determination.

Submitted: 2025-07-30

Revised: 2025-08-28

Accepted: 2025-08-30

Published: 2025-08-31

How To Cite: Rahmahwati Silvia Riani, Adi Freddy Bawaeda. "Setting the Deadline for Determining Suspects: A Comparative Study of the Draft Code of Criminal Procedure and the Code of Criminal Procedure." BACARITA Law Journal 6 no. 1 (2025): 35-43. <https://doi.org/10.30598/bacarita.v6i1.21056>

Copyright © 2025 Author(s)



Creative Commons Attribution-NonCommercial 4.0 International License

## INTRODUCTION

The criminal justice system is an approach to the application of criminal law through a system that aims to control crime in society. The criminal justice system is described as a series of processes carried out by several law enforcers or a mechanism that involves a series of activities, starting from the stage of investigation, prosecution, trial process to the implementation of judge's decisions carried out by correctional institutions.<sup>1</sup> According to Rusli Muhammad, the criminal justice system is a series of interconnected mechanisms and cooperation between components to achieve certain goals, both in the short and long term. In general, this system includes various stages, ranging from the pre-trial stage or adjudication, to the post-adjudication stage.<sup>2</sup> The Criminal Procedure Code in law enforcement practice serves as a reference for law enforcement officials in carrying out their functions, duties, and authorities, so that it is in line with legal objectives that include legal certainty, utility, and justice. Similar to material criminal law, the application of formal criminal law (Criminal Procedure Law) is also based on the *principle of legality*.

<sup>1</sup> I Made Wiradana, "Analisis Keberadaan Sistem Peradilan Pidana: Bentuk Keterpaduan Antar Subsistem Serta Keadilan Bagi Masyarakat." *Jurnal Kertha Semaya*, 12 no. 12 (2024): 3372-3381

<sup>2</sup> Hamaminata, Gani. "Perkembangan sistem Peradilan Pidana di Indonesia." *Jurnal Hukum, Politik dan Ilmu Sosial* 2, no 4, (2023): 52-64

The Criminal Procedure Code regulates criminal justice mechanisms that ensure the fulfillment of human rights, including providing rights for suspects and defendants. Therefore, they are not only seen as lawbreakers, but also as human beings who have rights and obligations, in the practice of criminal justice, often faced with contradictory conditions, on the one hand the suspect or defendant must be protected his rights as a citizen of the community, but on the other hand there is an allegation of their involvement in criminal acts that can limit these rights.<sup>3</sup> Therefore, as long as there is no court decision declaring guilty, the rights of the suspect or defendant must remain protected in accordance with the principle of the rule of law.

Criminal procedural law is a set of legal norms that determine state procedures through law enforcement agencies in prosecuting and punishing a person suspected of committing a criminal act.<sup>4</sup> Philosophically, the existence of the criminal procedure law is not only intended to crack down on criminals, but also to ensure supervision of potential arbitrary actions from the state. The basis of this thinking is related to the application of the principle of legality in the criminal procedure law, which emphasizes that the actions of the authorities can only be carried out within the time limit set by the law, while still upholding the principle of *due process of law*.<sup>5</sup> Article 3 of the Criminal Procedure Code emphasizes that "Trials shall be conducted in the manner regulated in this law". This provision strengthens the principle of legality in the criminal procedure law. Therefore, criminal procedure law must be *lex scripta*, *lex stricta*, and *lex certa* as the foundation of the principle of legality.<sup>6</sup> The implication is that the Criminal Code should not be delegated to a lower level regulation. But in reality, some procedural law instruments are actually regulated through regulations under the law.

The main weakness of the Criminal Code lies in the absence of rules regarding the time limit for investigation and the determination of suspects. This vacancy is often used by law enforcement officials, especially police investigators, the Corruption Eradication Commission and the Prosecutor's Office to arrest, detain suspects, and detain a person for up to four months if the criminal threat exceeds ten years.<sup>7</sup> The process of investigation, investigation, and determination of suspects should be carried out in a professional, objective, proportionate, transparent, and accountable manner so that there is no abuse of authority. Currently, the discussion of the Draft Criminal Procedure Code is ongoing with the hope of replacing the colonial procedural law of the *Herzeine Inlandsch Reglement* (HIR). The Criminal Procedure Code Bill is expected to adjust criminal procedural law to the development of science and technology and create a legal system that upholds justice, certainty, and legal utility.

Suspect status is the most crucial stage in criminal justice because in this phase individual rights are restricted. However, the applicable Criminal Procedure Code has not set a deadline for determining suspects or the certainty of transferring cases to the public prosecutor, thus creating legal uncertainty and potentially violating the rights of suspects,

---

<sup>3</sup> Ramadan Tabiu, "Ketidakpastian Hukum Jangka Waktu Penetapan Status Tersangka dari Proses Penyidikan sampai Pelimpahan Perkara Persidangan", *Jurnal Hukum Priosis* 5, no 2, (2016):188

<sup>4</sup> Sastra, Budi Panjaitan, "Perkembangan Hukum Acara Pidana Indonesia," *Jurnal Keadilan* 5, no. 2, (2018): 118

<sup>5</sup> Noviantama, Doni, "Analisa Hukum Penetapan Tersangka yang Didasarkan Alat Bukti Hasil Penyelidikan Oleh KPK", *Lex Renaissance* 9 no. 2 (2024): 262

<sup>6</sup> Efendi, Erdianto, "Relevansi Pemeriksaan Calon Tersangka Sebelum Penetapan Tersangka", *Jurnal Hukum*, no. 2 (2020): 272

<sup>7</sup> Khoirul Amin, "Perlindungan Hukum Terhadap Penetapan Status Tersangka Ditinjau Dari Perspektif Hak Asasi Manusia", *Journal Of Sharia* 03, no 1, (2024): 3

such as the right to certainty of legal status, the right to self-defense, and protection from arbitrary criminalization. Although this is a progressive step, the substance of the Criminal Procedure Bill still leaves many gaps, one of which is that it has not regulated a clear supervision and sanction mechanism if the deadline for determining suspect status is violated, who is authorized to control the status of suspects objectively, whether it is the Prosecutor, Judge or other independent institutions. On the other hand, the French state is referred to as a country that adheres to the continental legal system, adopts democratic principles and *the rule of law*, has long applied *the Code de Procedural Pénale* (French Criminal Code) which provides a strict time limit for the status of suspects and strong control authority by judicial institutions, in which every act of restriction on the freedom of suspects including the determination of legal status must be obtained approval or directly supervised by the court.

## METHODS OF THE RESEARCH

This study uses normative legal research methods. Normative legal research, known as doctrinal research (*law in books*), focuses on the study of applicable legal norms as guidelines that should be followed by society.<sup>8</sup> The main objects in normative law research include norm vacuums, norm ambiguity, and norm conflicts. The focus is on the emptiness and unclarity of norms related to the deadline for determining suspect status which causes legal uncertainty. The approach used in this study includes statutory research (statute approach), which is to examine the legal provisions that govern the determination of suspect status, namely focusing on the Draft Criminal Code and *the Code de procedural pénale* (French Code of Criminal Procedure), both conceptual approaches (*Conceptual Approach*), namely analyzing views and theories in legal science to provide an understanding of legal principles and concepts that are relevant to the regulation of the suspect's time limit. The third is a comparative approach, namely comparing the provisions related to the status of the determination of suspects in the Draft Criminal Code with the provisions contained in the *Code de Procedural Pénale* (French Code of Criminal Procedure).

## RESULTS AND DISCUSSION

### A. Setting the Deadline for Determining Suspect Status in the Indonesian Criminal Code Draft

The suspect according to Article 1 point 22 of the Draft Criminal Code states: "a person who, due to his acts or circumstances, should be suspected of being a perpetrator of a criminal act based on a minimum of 2 (two) pieces of evidence". Investigators determine a person to be a suspect because a criminal act has occurred on the basis that at least 2 (two) pieces of evidence have been found. The evidence in question is based on Article 222 of the Criminal Code Draft. Definition of suspect determination according to Article 1 point 25 of the Draft Criminal Code "Suspect determination is the process of determining a person as a suspect after the investigator has succeeded in collecting and obtaining clarity on the occurrence of a criminal act based on a minimum of 2 (two) pieces of evidence".

The suspect is examined by investigators and then a report of the suspect's examination is made for 10 (ten) days, which means indirectly that the suspect's status still exists for the next 10 days. This is in accordance with Article 38 of the Draft Criminal Code: "The minutes

---

<sup>8</sup> Zainal Asikin, Amiruddin, *Pengantar Metode Penelitian Hukum*. (Jakarta: RajaGrafindo, 2020), p. 118.

of the examination of the Suspect and/or Witness as referred to in paragraph (1) must be submitted to the Investigator who conducts the Investigation no later than 10 (ten) days from the completion of the examination.

The Draft Criminal Code has not explained whether after 10 (ten) days of the determination of a person who has been designated as a suspect has been released from his status or not, this has not been explicitly regulated according to the Draft Criminal Code, the non-regulation of the limit on the status of the suspect will affect uncertainty that will harm the suspect in the future because he is also a human being who has the right to freedom and honor. Because we know that there is a principle of *presumption of innocence*.

Article 42 paragraph (1) of the Draft Criminal Code regulates the submission of objections by suspects to the detention carried out by investigators to suspects, but the submission of objections about the deadline for determining the suspect or when the suspect's status is released given by the investigator has not been regulated about it. However, based on the Inventory List of Issues of the Draft Law on Criminal Procedure Law on July 9, 2025 that Article 42 paragraph (1) of the Draft Criminal Procedure Law is deleted, this will be a long record in the enforcement of the criminal procedural law which should also meet the protection of the rights of suspects to be treated equally before the law, that the suspect is also a human being who also has the right to file objections to the law enforcement officials who are not transparent or unfair to him.

The investigation stage according to Article 94 of the Draft Criminal Code limits the detention period for suspects is for 20 days and then can be extended to a total of 40 days, then if it is 40 days, it can be released, but the deadline for when the termination of this investigation is carried out has not been explained in detail, meaning that the status of the suspect attached to it still exists even though he has been released from custody. Likewise, at the prosecution stage by the prosecutor, Article 95 of the Draft Criminal Code discusses that the maximum detention is 20 (twenty) days and can be extended again to 30 (thirty) days and more than that time the suspect must be released, but that does not close the status of the suspect attached to a person will be released.

Article 85 of the Draft Criminal Code paragraph (1) discusses the determination of suspects, that the determination of suspects is based on a minimum of 2 (two) pieces of evidence, signed by the investigator and notified to the suspect within a maximum period of 1 (one) day from the time the suspect determination letter is issued. Then paragraph (2) contains the identity of the suspect, a brief description of the case and the rights of the suspect. One of the rights of suspects as mentioned in Article 134 of the Draft Criminal Code is to immediately carry out an examination so that the procedural process can be completed quickly, there is nothing in the Draft Criminal Code that explicitly stipulates that when the deadline for determining this suspect is stopped, whether it is a case handled by the police at the investigation stage or the prosecutor's office at the prosecution stage, this further prolongs the status of determination as a suspect, The suspect seems to be able to accept the situation without being able to resist in fulfilling his inherent rights as a human being, before the law that all are equal and have the right to protection and settlement of cases that are not complicated. Meanwhile, Article 86 emphasizes that in determining suspects, investigators are prohibited from committing acts that give rise to a presumption of guilt<sup>9</sup>. The formulation changes the previous formulation that prohibits investigators from

---

<sup>9</sup> Daftar Inventarisasi Masalah Rancangan Undang-Undang Tentang Hukum Acara Pidana, p. 59

announcing or using certain attributes on suspects, both the formulation before or after the change cannot guarantee that the suspect is avoided from presumption of guilt, besides that there are no sanctions if the prohibition is violated by the investigator, so this provision does not provide complete protection for the suspect and his family from the impact of leaking information on the determination of the suspect to the public.

## **B. Setting the deadline for the status of the determination of suspects in the *Code de Procedural Pénale* (French Code of Criminal Procedure)**

The French Code of Criminal Procedure, hereinafter referred to as the *Code de procedural pénale*, regulates the determination of the status of a suspect which must be resolved immediately and not buy a long time, in the French criminal justice system, when a person is officially designated as a suspect (*mis en examen*) he is summoned for a preliminary hearing (*interrogatoire de première appearancection*) by the investigating judge (le juge d'instruction) then the suspect was outlined the legal rights for the suspect. In the enforcement of criminal law that applies in the French country, not only the police have the right to conduct investigations, but this also applies to investigating judges. Investigating judges in legal proceedings with the authority to lead investigations, collect evidence, and interview witnesses and suspects. After this process, the investigating judge can issue a warrant for the detention of the suspect.<sup>10</sup> Article 116 of the French Criminal Code, the investigating judge gives an explanation to the suspect about his rights, one of which is the right to submit a request or request for cancellation of the investigation for a correctional case if within a period of one year or a criminal case if within a period of 18 months has not been completed. Article 173 of the French Criminal Code in this article explains that the suspect has the right to request the cancellation of a legal action such as the determination of the status as a suspect, if the search, seizure or summons is carried out illegally, the request for the cancellation of the action has a deadline of 6 (six) months from the notification of the status of the determination of the suspect. If it passes, the application will not be accepted by the judge (*inadmissible*).

Article 173 of the French Criminal Code is similar to the Pretrial process in Article 77 of the Indonesian Criminal Code currently in force, that "the district court is authorized to examine and decide in accordance with the provisions stipulated in this law on the legality or not of arrest, detention, termination of investigation or termination of prosecution". This explains that suspects in Indonesia's positive law, namely the Criminal Procedure Code, also protect suspects regarding the right to submission if the detention and arrest process is not carried out legally. Article 175 of the French Criminal Code explains that if at the investigation stage it is considered complete, the investigating judge forwards the case file to the public prosecutor and notifies the suspect and his legal representative. In the case of prosecution, the prosecutor has time to prove whether the suspect is guilty or not for 1 (one) month if the suspect is detained and for 3 (three) months if the suspect is not detained. Then the file must be returned to the Investigating Judge. This is related to the length of the prosecution carried out by the prosecutor against the suspect.

Article 175-1 of the French Criminal Code regulates the right for suspects to request that the investigation process be immediately stopped or stopped if the reasonable time limit has

---

<sup>10</sup> Jefferson Hakim, Diferensiasi fungsional dalam kuhap masih relevan atau menjadi sumber masalah, <https://www.hukumonline.com/berita/a/diferensiasi-fungsional-dalam-kuhap--masih-relevan-atau-menjadi-sumber-masalah-lt6751e3743b726/?page=all>

been exceeded, the time limit in question is appropriate based on Article 116 of the French Criminal Code, which is 1 year for correctional cases, criminal cases for a period of 18 months, or no investigative action at all for 4 months. Then the judge must decide whether the case is stopped or not within 1 (one month). Article 175-1 of the French Criminal Code explains in detail the deadline for determining suspects that should not be allowed to drag on or for too long to fulfill the rights of suspects who must be recognized, the principle of presumption of innocence and a fair judicial process. Furthermore, based on Article 175-2, it contains matters related to the time limit for the investigation, namely based on the severity of the allegations, the complexity of the investigation process, if it occurs that up to 2 years the investigation process has not been completed, the judge must issue an official warrant containing the reason for the extension, showing that the investigation is still needed, conveying the prospect of completion. This renewal order must be renewed every six months.

According to Satjipto Raharjo, legal protection is a form of protection of human rights that are harmed by the actions of others. This protection is provided by the state and society so that the rights of each individual can be protected and fulfilled. Legal protection includes all forms of efforts made by law enforcement officials to provide a sense of security, both physical and psychological, from various threats that may arise.<sup>11</sup> The rights of legal protection for suspects also need to be fulfilled by the law, which is specifically regulated in the Criminal Procedure Code so that equality before the law can be fulfilled and enjoyed not only for victims but also for suspects. The deadline for the determination of the status of suspects based on the Draft Indonesian Criminal Procedure Code has not yet been strictly regulated about it, but the reform of the criminal law has been much better because it regulates the minimum limit of detention and the supervision of judges. *The Code de Procedural Pénale* (French Criminal Code) expressly regulates the deadline for the determination of the status of suspects, in addition to that the suspect is also given the right to apply for the termination of the investigation if within a certain period of time the investigation process has not been clarified by law enforcement officials.

### C. Implications of the Absence of a Deadline for Determining Suspects in the Draft of the Criminal Code

The Criminal Procedure Code was drafted with the spirit of respecting human rights. Before the birth of the Criminal Procedure Code, the law enforcement approach was carried out by arresting first, then extorting confession, and all ways are halal to obtain recognition.<sup>12</sup> The Criminal Code places the suspect or defendant in a position of "degrees" recognized as human beings, divine beings who have dignity and dignity. M. Yahya Harahap noted that there are 4 (four) bases of suspect rights that must be fulfilled by law enforcement and must not be eliminated, namely: equality of rights and position before the law, presumption of innocence, arrest or detention based on sufficient preliminary evidence, and the right to self-defense.<sup>13</sup> The Constitutional Court Decision Number: 21/PUU-XI/2014 basically allows the determination of suspects as Pre-Trial objects, although the Supreme Court in Perma Number 4 of 2016 only limits the Pre-Trial examination to the

<sup>11</sup> Khoirul Amin, "Legal Protection of the Determination of Suspect Status Reviewed from a Human Rights Perspective", *Josh: Journal of Sharia* 03 no 1, (2024): 7

<sup>12</sup> M. Yahya Harahap, *Discussion of Problems and Implementation of the Criminal Code: Investigation and Prosecution*, (Jakarta: Sinar Grafika, 2002), p. 3

<sup>13</sup> Erdianto Efendi. "Relevansi Pemeriksaan Calon Tersangka sebelum Penetapan Tersangka", *Undang: Jurnal Hukum* 3 no. 2 (2020): 270

legitimate application or not of the determination of suspects, assessing on the formal aspect whether at least two pieces of evidence are valid and do not enter the case material.<sup>14</sup> Pre-Trial as supervision between fellow law enforcement officials so that abuse does not occur, in addition to supervision from the internal agencies of the law enforcement officials themselves.

One of the main pillars in maintaining justice and legal order in a country is the criminal justice system. This system not only aims to punish the perpetrators of criminal acts, but must ensure that every individual involved is treated humanely and fairly according to applicable legal principles. The basic principle that guarantees justice in the legal process is *due process of law*.<sup>15</sup> *Due process of law* is a basic principle in the legal system that guarantees everyone to receive fair, non-discriminatory legal treatment and in accordance with the applicable law. In the context of the criminal justice system, this principle is the main determinant in implementing a fair, civilized procedural law based on the protection of human rights.<sup>16</sup>

The principle of *due process of law* in the criminal justice system provides a guarantee of a fair legal process starting from the stage of investigation, prosecution to trial and verdict. The basic rights of suspects and defendants must be fulfilled as a manifestation of the fulfillment of universal human rights. The principle of *due process of law* has been accommodated by Indonesian legal instruments, one of which is regulated by the 1945 Constitution and Law Number 39 of 1999 concerning Human Rights. Article 28D of the 1945 Constitution paragraph (1) expressly states that everyone has the right to fair legal recognition, guarantee, protection, and certainty as well as equal treatment before the law. Article 18 paragraph (1) of Law Number 39 of 1999 concerning Human Rights also explains that every person who is arrested, detained, and prosecuted on suspicion of committing a criminal act has the right to be considered innocent, until proven legally guilty in a court hearing and given all the legal guarantees necessary for his defense in accordance with the provisions of the law, that human rights are basic rights that have been owned by a person since he was a child in the womb, as a gift from the Creator, so human rights should be universally applicable. Human rights are not a gift from the government or the rulers so any policy taken by lawmakers must not be contrary to human rights.<sup>17</sup> In practice, there are cases of someone whose suspect determination has been delayed for many years, such as the example of a case faced by the former President Director of PT Pelabuhan Indonesia II Richard Joost Lino alias R J Lino who had to be 'hanged' for 5 (five) years.<sup>18</sup>

The case faced by R J Lino is one example of criminal procedural law enforcement that is far from fair, because the procedural process is long and convoluted so that the status of the suspect must wait up to 5 years to reach the trial stage. R J Lino was found guilty of corruption in the procurement and maintenance of 3 Quayside Container Crane Units and the judge who tried the case sentenced R J Lino to 4 years in prison and a fine of IDR. 500

---

<sup>14</sup> Ardli Nuur Ihsani, "Urgensi Perluasan Objek Praperadilan dalam Tindak Pidana Korupsi Ditinjau dari Perspektif Perlindungan Hak Asasi Tersangka," *Legal Standing: Jurnal Ilmu Hukum*, 1 no. 2 (2017): 70

<sup>15</sup> Deva Dwi Chandra, "Tinjauan Yuridis Terhadap Pelaksanaan *Due Process of Law* Sebagai Elemen Fundamental Untuk Melindungi Hak Dalam Sistem Peradilan Pidana Di Indonesia," *Jurnal Hukum Dan Kebijakan Publik* 17 no. 2, (2025): 189

<sup>16</sup> Anom Sutrisno, "Peran Hakim dalam Mewujudkan *Due Process of Law* Pada Sistem Peradilan Tata Usaha Negara di Indonesia", *Locus: Jurnal Konsep Ilmu Hukum* 5, no. 1, (2025): 20

<sup>17</sup> Bahrar, "Penetapan Tersangka Menurut Hukum Acara Pidana Dalam Perspektif Hak Asasi Manusia", *Syariah: Jurnal Ilmu Hukum dan Pemikiran* 17 no. 2 (2017): 231

<sup>18</sup> TimDetik, Senangnya RJ Lino Ditahan KPK Usai 5 Tahun Jadi Tersangka, <https://news.detik.com/berita/d-5509744/senangnya-rj-lino-ditahan-kpk-usai-5-tahun-jadi-tersangka>



million.<sup>19</sup> Although in the end R J Lino was found guilty, as long as the judge's verdict had not been given, he should not be declared guilty (*presumption of innocence*). The fulfillment of the rights of suspects whose proceedings are fast and not convoluted is part of the application of *the principle of due process of law*. The implication of the non-regulation of the limit on the determination of suspects will result in a criminal justice process that is far from the principle of *due process of law* so that there will be a conflict of law enforcement officials in the enforcement of the criminal procedure law, and violate human rights where the rights of suspects have the right to be treated fairly, considered innocent before the hammer of the judge who decides because everyone is considered equal before the law.

In addition, material and immaterial losses faced by a person with the status of determining the suspect without a clear time limit are first, material losses are according to Article 133 of the Draft Criminal Code that the suspect is prohibited from traveling outside Indonesian territory based on the reason for the investigation, from this provision it is clear that the suspect will suffer material losses if the suspect has a job or business abroad so that he cannot carry out his work, The two immaterial losses are in the form of a bad name being labeled bad because of the suspect status that is pinned even though the suspect's status has not been proven that a person is really guilty, there is psychological pressure from the community because of the negative stigma of the suspect status attached to his name, and the loss of social relationships.

## CONCLUSION

The setting of the deadline for determining suspects according to the Indonesian Draft Criminal Code has not expressly regulated the deadline for determining suspects, while the *Code de Procedural Pénale* (French Criminal Code) has set a deadline for a series of investigation processes, which is a maximum of 2 years which automatically if the time exceeds the status of determining the suspect, it is released for the sake of the law. The implication is that there is no deadline for determining the status of suspects will violate the principles of *due process of law* and human rights that must be universally recognized, in addition to that there can be arbitrariness of law enforcement officials in the procedural process so that legal certainty is also violated. The draft of the Criminal Procedure Code is still in the form of a draft, before it is determined, it is good for the rules of the *Code de procédure pénale* (French Criminal Procedure Code) to be adopted regarding the rules for the time limit for the determination of suspects.

## REFERENCES

- Anom Sutrsino, "Peran Hakim dalam Mewujudkan *Due Process of Law* Pada Sistem Peradilan Tata Usaha Negara di Indonesia", *Locus: Jurnal Konsep Ilmu Hukum* 5, no. 1, (2025): 20.
- Ardli Nuur Ihsani, "Urgensi Perluasan Objek Praperadilan dalam Tindak Pidana Korupsi Ditinjau dari Perspektif Perlindungan Hak Asasi Tersangka," *Legal Standing: Jurnal Ilmu Hukum*, 1 no. 2 (2017): 70.

---

<sup>19</sup> M. Agus Yozami, Eks Dirut Pelindo II RJ Lino Divonis 4 Tahun Penjara, <https://www.hukumonline.com/berita/a/eks-dirut-pelindo-ii-rj-lino-divonis-4-tahun-penjara-lt61b925a64913b/>



- Bahrar, "Penetapan Tersangka Menurut Hukum Acara Pidana Dalam Perspektif Hak Asasi Manusia", *Syariah: Jurnal Ilmu Hukum dan Pemikiran* 17 no. 2 (2017): 231.
- Deva Dwi Chandra, "Tinjauan Yuridis Terhadap Pelaksanaan *Due Process of Law* Sebagai Elemen Fundamental Untuk Melindungi Hak Dalam Sistem Peradilan Pidana Di Indonesia, *Jurnal Hukum Dan Kebijakan Publik* 17 no. 2, (2025): 189.
- Efendi, Erdianto, "Relevansi Pemeriksaan Calon Tersangka Sebelum Penetapan Tersangka", *Jurnal Hukum*, no. 2 (2020): 272.
- Erdianto Efendi. "Relevansi Pemeriksaan Calon Tersangka sebelum Penetapan Tersangka", *Undang: Jurnal Hukum* 3 no. 2 (2020): 270.
- Hamaminata, Gani. "Perkembangan sistem Peradilan Pidana di Indonesia." *Jurnal Hukum, Politik dan Ilmu Sosial* 2, no 4, (2023): 52-64.
- I Made Wiradana, "Analisis Keberadaan Sistem Peradilan Pidana: Bentuk Keterpaduan Antar Subsystem Serta Keadilan Bagi Masyarakat." *Jurnal Kertha Semaya*, 12 no. 12 (2024): 3372-3381.
- Jefferson Hakim, Diferensiasi fungsional dalam kuhap masih relevan atau menjadi sumber masalah, <https://www.hukumonline.com/berita/a/diferensiasi-fungsional-dalam-kuhap--masih-relevan-atau-menjadi-sumber-masalah-lt6751e3743b726/?page=all>.
- Khoirul Amin, "Perlindungan Hukum Terhadap Penetapan Status Tersangka Ditinjau Dari Perspektif Hak Asasi Manusia", *Journal Of Sharia* 03, no 1, (2024): 3.
- M. Agus Yozami, Eks Dirut Pelindo II RJ Lino Divonis 4 Tahun Penjara, <https://www.hukumonline.com/berita/a/eks-dirut-pelindo-ii-rj-lino-divonis-4-tahun-penjara-lt61b925a64913b/>.
- M. Yahya Harahap, *Pembahasan Permasalahan dan Penerapan KUHAP: Penyidikan dan Penuntutan*, Jakarta: Sinar Grafika, 2002.
- Noviantama, Doni, "Analisa Hukum Penetapan Tersangka yang Didasarkan Alat Bukti Hasil Penyelidikan Oleh KPK", *Lex Renaissance* 9 no. 2 (2024): 262.
- Ramadan Tabiu, "Ketidakpastian Hukum Jangka Waktu Penetapan Status Tersangka dari Proses Penyidikan sampai Pelimpahan Perkara Persidangan", *Jurnal Hukum Priosis* 5, no 2, (2016):188.
- Sastra, Budi Panjaitan, "Perkembangan Hukum Acara Pidana Indonesia," *Jurnal Keadilan* 5, no. 2, (2018): 118.
- TimDetik, Senangnya RJ Lino Ditahan KPK Usai 5 Tahun Jadi Tersangka, <https://news.detik.com/berita/d-5509744/senangnya-rj-lino-ditahan-kpk-usai-5-tahun-jadi-tersangka>.
- Zainal Asikin, Amiruddin, *Pengantar Metode Penelitian Hukum*. Jakarta: RajaGrafindo, 2020.