CHAPTER I

INTRODUCTION

A. Background of The Issue

Gambling is a type of crime that has existed since ancient times and continues to this day. Gambling practices can be found across all segments of society, regardless of social status. Anyone can gamble-men, women, children, teenagers, and the elderly alike.[1] The growth of gambling in recent years has been extensive and takes many different forms.

In today's world, technology is advancing rapidly, making it easier for people to carry out their daily activitie especially those involving access to information and technology-based activities. This rapid technological advancement naturally has both positive and negative impacts on society. It has also driven changes in gambling practices. What was once typically conducted in person within local communities is now being done online practice known as online gambling.

Online gambling is a new and rapidly growing phenomenon that is becoming increasingly popular among the general public. Online gambling on the internet takes various forms, utilizing various digital platforms such as websites, social media, or apps.[2] The availability of these diverse digital

[1] CNN Indonesia, *Terungkap, Generasi Yang Jadi Mayoritas Pemain Judi Online,* found in https://www.cnnindonesia.com/teknologi/20240429114944-192-1091671/terungkap-generasi-yang-jadi-mayoritas-pemain-judi-online, Accesed on April 29, 2026.

[2] Mohamad Hamin, "Efek Judi Online Terhadap Ketahanan Keluarga Di Indonesia", *Jurnal Hukum Keluarga Islam,* Edisi No.1 Vol.8, Ahwulana, 2026, page 2

platforms makes it easier for people to access online gambling, as it does not require a physical presence. The ease of access via smartphones, tablets, or laptops allows people to gamble anywhere and anytime as long as they are connected to the internet

Online gambling has many negative consequences for those who engage in it. One such consequence is online gambling addiction, which can damage mental health.[3] Not only that, but online gambling addiction also has the negative effect of disrupting family harmony.[4] Many families have been torn apart by online gambling, leading to acts of violence and even divorce.

In Indonesia, gambling is still widespread, both in its conventional form and online. Gambling in Indonesia is regulated by Law No. 7 of 1974 on the Regulation of Gambling. Article 1 states that all gambling-related offenses are classified as crimes. Furthermore, under positive law specifically the Criminal Code (KUHP) gambling is also classified as a prohibited act and is subject to criminal penalties in accordance with applicable regulations.

Gambling is generally considered an unlawful act, whether committed intentionally or unintentionally, by a person who can be held accountable for their actions and subject to criminal penalties under the

[3] Nabila Wulyandini, *Mengupas Dampak Psikologis Judi Online Bersama Ketua Hima Psikologi Umsida,* found in https://psikologi.umsida.ac.id/dampak-psikologis-judi-online/, accesed on April 29, 2026.

[4] Anisa Rahmawati, Nur Azizah, Muhammad Ihsan, Muhammad Azmiannur, "Dampak Sosial Judi Online: Mengguncang Kehidupan dan Keharmonisan dalam Rumah Tangga", *Jurnal Agama, Sosial dan Budaya, Edisi No.3 Vol.3,* Sujud, 2025, page 4

Criminal Code (KUHP). Gambling is regulated under Article 303 bis of the Criminal Code, which states as follows:

1. Any person who participates in gambling organized in violation of the provisions of Section 303 shall be subject to imprisonment for a term not exceeding four years or a fine not exceeding ten million rupiah:
   2. Any person who participates in gambling on a public road, on the side of a public road, or in a place accessible to the public, unless authorized by the competent authority jthat has granted permission to conduct such gambling.
2. If, at the time of committing the offense, less than two years have elapsed since a conviction for any of these offenses became final, the offender may be sentenced to imprisonment for a maximum of six years or a fine of up to fifteen million rupiah.

Meanwhile, online gambling is specifically regulated under Article 45(2) in conjunction with Article 27(2) of Law No. 19 of 2016 Amending Law No. 11 of 2008 on Electronic Information and Transactions, which states that "Any person who intentionally and without authorization distributes and/ or transmits and/or makes accessible Electronic Information and/or Electronic Documents containing gambling content as referred to in Article 27(2) shall be punished by imprisonment for a maximum of 6 (six) years and/or a fine of up to Rp1,000,000,000.00 (one billion rupiah)."

Evidence of the prevalence of online gambling cases can be seen in Judgment No. 174/Pid.B/2023/PN Idm, Judgment No. 86/Pid.B/2024/PN Plg, and Judgment No. 431/Pid.B/2025/PN Bjm. These three rulings address online gambling cases that occurred in the regions of Indramayu, Palembang, and Banjarmasin. Ruling No. 174/Pid.B/2023/PN Idm found Nanang Abdurahman guilty of committing the criminal offense of online gambling. Nanang Abdurahman engaged in online gambling through the

OTOGEL website by topping up funds into his account on that site. Nanang Abdurahman is an online gambling perpetrator who not only gambled for himself but also acted as a lottery gambling retailer.

Judgment No. 86/Pid.B/2024/PN Plg is a judgment finding Muhamar guilty of the crime of online gambling. The reason Muhamar engaged in online gambling was due to insufficient income from his work as a broker for fertilizer and market goods in Palembang. Muhamar carried out his actions by placing lottery numbers on the VIP TOTO online gambling site. In this case, Muhamar not only gambled online for himself but also offered the opportunity to people around him.

Muhamar made things easier for himself by depositing money into his own account the morning before he left. People interested in Muhamar's lottery gambling would come directly to Muhamar and purchase lottery number predictions from Muhamar. If the other person's prediction was correct, Muhamar would give them a cash prize. The verdict in this case is to sentence Muhamar to 1 (one) year and 4 (four) months in prison.

Judgment No. 431/Pid.B/2025/PN Bjm found Asbiyani guilty of the crime of online gambling. In this case, Asbiyani sold a type of online gambling known as "white coupon" (togel) in the city of Banjarmasin. Asbiyani's customers would come directly to him, hand over a sum of money, and place their bets on the AGENNALO website. Asbiyani conducted these buying and selling activities daily and used them as a source of income.

In the judgment, Asbiyani was found guilty of the criminal offense of "intentionally and without authorization distributing and making accessible electronic information or electronic documents containing gambling content," and was sentenced to 2 (two) years and 3 (three) months in prison, as well as a fine of Rp. 150,000,000.00 (one hundred fifty million rupiah); if the fine is not paid, it shall be replaced by 3 (three) months' imprisonment. These 3 (three) rulings demonstrate that online gambling is no longer merely a personal pastime but has become a means of livelihood.

The author highlights not only the modus operandi of the three perpetrators but also the judge's legal reasoning in rendering a verdict in the online gambling case. In criminal cases, the judge's reasoning serves as the basis for determining whether the elements of the criminal offense have been met based on the facts presented in court. In this context, the judge's reasoning serves as the foundation and guide for the judge in adjudicating criminal cases regarding the nature of the crime and the severity or leniency of the sentence in accordance with applicable provisions.

In the online gambling case mentioned above, it is important to examine the judge's considerations in determining the type of gambling offense, as gambling practices have evolved from conventional systems to technology-based systems. This shift in modus operandi raises questions regarding how judges classify the defendant's actions whether by applying the gambling provisions in the Criminal Code, the provisions in the Law on Information and Electronic Transactions, or by applying both sets of

provisions in accordance with the legal facts revealed during the trial. Therefore, an analysis of the judges' reasoning is necessary to understand the legal basis they used in assessing whether the elements of the crime of online gambling were satisfied.

The three court decisions that are the subject of this study show similarities regarding the types of criminal offenses examined, but each has different legal facts, roles of the defendants, and application of legal provisions. These differences warrant further examination to determine whether the judges' legal reasoning was applied consistently in assessing the elements of the crime of online gambling and how the judges constructed their legal arguments in rendering their decisions. Thus, this study not only examines the modus operandi of online gambling crimes but also how the judges' legal reasoning was formed in adjudicating these cases.

The background and content of the aforementioned ruling have revealed the legal issues it contains. These legal issues include the continued prevalence of online gambling among the public and the lack of effectiveness in combating online gambling. Given the above, the author wishes to conduct further research in this legal study under the title "**Modus Operandi And Judge's Consideration In Examining Online Gambling Offenses (Study of Court Decisions)**" so that it can serve as a source of knowledge and learning for the public. This study is also intended to determine.

B. Research Question

Based on what is described in the background above, the problems to be studied are as follows:

1. How was the modus operandi of the gambling offense in court decisions?
2. How did the judge determine the offense of online gambling or gambling conventional in court decisions?

C. Research Objective

Based on the main problem above, there are several objectives that underlie this research, namely:

1. To identify and analyze the modus operandi of gambling crimes commited in court decisions.
2. To examine the judge determine the offense of online gambling or gambling conventional in court decisions.

D. Originality of The Research

This legal paper, titled "**Modus Operandi and the Judge's Considerations in Examining Online Gambling Offenses (Study of Court Decisions)"** is the author's original work and does not constitute plagiarism of any prior research. This legal paper is essentially a novel contribution not previously addressed by other researchers. However, there are several relevant prior studies that can serve as points of comparison with the author's legal paper, as follows:

No	researcher's name	Research Title	Similarities and differences
1.	Muhammad Zhaky Rmadhan, 2024	The Impact of Online Gambling on Family Economies Among Residents of Bumi Harahap Village, Bacukiki Subdistrict, Parepare City.	• Similarities: discussing online gambling within the community. • Differences: This study focuses on the impact of online gambling on family finances, whereas the researcher's study focuses on several court rulings that the author has examined.
2.	Ginaniar, 2023	Modus Operandi, Causes, and Impacts of Online Gambling Crimes Committed by College Students in the Special Region of Yogyakarta	• Similarities: discussing the modus operandi of online gambling • Differences: This study focuses exclusively on online gambling among college students in Yogyakarta. In contrast, the author's research focuses on the modus

			operandi underlying the court decisions examined by the researcher.
3.	Tri Budi W.M Pardosi, 2022	Criminal Liability of the Operators of the Wong QQ Online Gambling Platform (Analysis of Judgment No. 1564/Pid.B/2021/Pn.Mdn)	• Similarities: discussing online gambling • Differences: This study focuses more on criminal liability. In contrast, the author's study examines three court decisions involving various types of online gambling.

E. Literature Review

1. Literature Review on Judicial Decisions

A judicial decision is defined as "a ruling pronounced by a judge in his official capacity during a criminal trial that is open to the public, following the criminal procedural law process in accordance with general provisions, containing a written judgment in the form of a sentence, acquittal, or udismissal of all legal charges, with the aim of resolving a criminal case". [5] Sudikno Mertokusumo defines a judicial

[5] Lilik Mulyadi, Seraut Wajah Putusan Hakim Dalam Hukum Acara Pidana Indonesia; Perspekttif, Teoritiis, Praktik, Teknik Membuat dan Permasalahannya, Citra Aditya Bakti, Bandung, 2014, page 129.

decision as a statement issued by a judge within his authority as a public official, delivered during a hearing and intended to resolve the case. Such a statement is not merely delivered orally but is also recorded in writing and read aloud at the conclusion of the hearing.[6]

A court ruling marks the conclusion of the entire legal proceedings.[7] When adjudicating a case, a judge must take into account the principles of justice, legal certainty, and the public interest so that the ruling is accepted by the parties involved.[8] The judges' decision is unanimous, based on their deliberations and findings during the trial, meaning that all judges have agreed on the decision to be rendered.[9] In deciding a case, a judge must base their decision on a closed-door deliberation among judges, as provided for in Article 14(1) of Law No. 48 of 2009 on Judicial Power.

2. Literature Review on Judicial Consideration

The term “judicial consideration” derives from the Latin phrase ratio decidendi, which refers to the legal grounds used by a judge as the basis for reaching a decision in a case. Lilik Mulyadi argues that “the essence of a judge’s legal reasoning lies in establishing each element of the offense: whether the defendant’s actions satisfy the elements of the

[6] Sudikno Mertokusumo, Hukum Acara Perdata Indonesia. Edisi ke-7, Liberty, Yogyakarta, 2006, page 15

[7] Nikolas Simanjutak, Acara Pidana Indonesia dalam Siklus Hukum, Ghalia Indonesia, Bogor, 2009, page 223

[8] Lilik Mulyadi, *Loc.Cit* ,page 129

[9] Achmad Rifai, *Kesalahan hakim dalam penerapan hukum pada putusan menciderai keadilan masyarakat,* Nas Media Pustaka, Bandung, 2020, page 78

offense and whether they correspond to the offense charged by the public prosecutor in the judge's decision".[10] A judge's deliberations are a crucial aspect of rendering a decision that embodies justice, utility, and legal certainty.

In his book, Rusli Muhammad argues that judicial considerations fall into two categories: legal considerations and non-legal considerations.[11] Legal considerations are the judge's determinations that incorporate and are based on the legal facts presented during the trial, as well as the provisions of the law that have been established and must be included in the judgment. The provisions or matters that must be included in the judgment include the charges brought by the Public Prosecutor, the defendant's statements, witness testimony, evidence, and the relevant provisions of criminal law.[12]

Non-legal considerations are those based on the defendant's background, religion, and circumstances.[13] Article 5(1) of Law No. 48 of 2009 on Judicial Power states that "judges are required to explore, adhere to, and understand the legal values and sense of justice that exist within society." This provision clarifies that judges, in adjudicating cases, must act in accordance with applicable legal provisions while also understanding and fostering a sense of justice for the public.

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10 Lilik Muryadi, Putusan Hakim Dalam Hukum Acara Pidana, PT. Citra Aditya Bakti, Jakarta, 2009, page 193.

11 Rusli Muhammad, *Hukum Acara Pidana Kontemporer*, PT.Citra Aditya Bakti, Bandung, 2007, page. 212-220

12 *ibid*

13 i*bid*

3. Literature Review on Gambling offenses

a. Definition Gambling Offenses

According to the Criminal Code (KUHP), gambling as referred to in Article 303(3) is defined as: “Any game in which the likelihood of winning generally depends solely on luck, as well as on the player being more skilled or more experienced. This includes all forms of betting on the outcome of a race or other game not conducted among those who are competing or playing, as well as all other forms of betting.” Dali Mutiara, in interpreting the KUHP, states that gambling must be interpreted broadly, including all provisions regarding winning and losing in horse races or other competitions, or all rules in competitions held between two people who are not participating in the competition itself, such as totalizators and others. Gambling refers to betting activities carried out intentionally, namely staking or placing something of value, with an awareness of the risks and a certain expectation regarding the outcome of a game, race, or event whose result is uncertain or unknown.

b. Regulations on Gambling Offenses

Criminal offenses related to gambling under positive criminal law are regulated in Articles 303 and 303 bis of the Criminal Code (KUHP). Article 303 of the Criminal Code states that:

1) Any person who, without a permit, shall be punished by imprisonment for a term not exceeding ten years or a fine not exceeding twenty-five million rupiah:
   a) intentionally offering or providing opportunities for gambling and making it a source of income, or intentionally participating in an enterprise for that purpose;
   b) intentionally offering or providing the general public with the opportunity to gamble, or intentionally participating in an enterprise for that purpose, regardless of whether such opportunity is subject to any conditions or the fulfillment of any procedures;
   c) treating participation in gambling as a livelihood
2) If the person at fault commits such a crime while conducting the search, their right to conduct the search may be revoked.
3) A gambling game is any game in which the likelihood of winning generally depends on mere chance, as well as on the player's skill or expertise. This includes all wagers on the outcome of races or other games that are not made among those actually competing or playing, as well as all other wagers

Article 303 bis of the Criminal Code states that:

1) Punishable by imprisonment for a maximum of four years or a fine of up to ten million rupiah:
   1. Anyone who takes the opportunity to gamble in violation of the provisions of Section 303;
   2. Any person who participates in gambling on a public street, on the side of a public street, or in a place accessible to the public, unless authorized by the competent authority that has granted permission to conduct such gambling.
2) If, at the time of committing the offense, less than two years have elapsed since a conviction for any of these offenses became final, the offender may be sentenced to imprisonment for a maximum of six years or a fine of up to fifteen million rupiah.

Article 1 of Law No. 7 of 1974 on the Regulation of Gambling (hereinafter referred to as the Law on the Regulation of Gambling) states that "all acts of gambling constitute a criminal offense." Article 2(1) of the Law on the Regulation of Gambling states: "Amending the penalty provisions in Article 303((1) of the Criminal Code, from imprisonment for a maximum of two years and

eight months or a fine of up to ninety thousand rupiah to imprisonment for a maximum of ten years or a fine of up to twenty-five million rupiah."

c. Types of Gambling

The explanatory notes to Article 1(1) of Government Regulation of the Republic of Indonesia No. 9 of 1981 on the Enforcement of Gambling Control provide the following explanation regarding the forms and types of gambling:

1) Gambling at casinos

Consisting of Roulette, Blackjack, Baccarat, Creps, Keno, Tombola, Super Ping-pong, Lotto Fair, Satan, Pakyu, Slot Machine, Ji si Kie, Poker, Twenty One, Poker, Kiu-Kiu, Panchiko, Paseran.

2) Gambling in public space

Consisting of Dart Throwing, Ring Toss, Coin Toss, Kim, Fishing, Cockfighting, Bullfighting, Buffalo Fighting, Sheep Fighting, Horse Racing, Bull Racing, Dog Racing, Hailai, Mayong, Erek-erek.

3) Gambling associated with other reasons

Consisting of Cockfighting, Bullfighting, Buffalo Fighting, Sheep Fighting, Horse Racing, Bull Racing, Sheep/Goat Fighting.

d. Definition of Online Gambling

Online gambling is essentially the same as other forms of gambling. What sets it apart, however, is that online gambling relies on the internet to play. Online gambling is a game that uses money as stakes; the amount of money used in the game is determined by the player themselves via an internet connection.[14] Online gambling is a form of gambling that can lead to addiction among players.[15]

e. Regulation of Online Gambling

Online gambling is an illegal activity regulated under Article 27(2) of Law No. 19 of 2016, amending Law No. 11 of 2008 on Electronic Information and Transactions (hereinafter referred to as the EIT Law). Article 27(2) of the ITE Law states that "Any person who intentionally and without authorization distributes, transmits, and/or makes accessible Electronic Information and/or Electronic Documents containing gambling content." Online gambling can also lead to computer-related crimes known as cybercrime. Cybercrime is a crime committed using a computer or smartphone as the primary means of committing a criminal act.[16]

[14] Lidia Meriaty Pasaribu, Rencan C Marbun, "Analisis Dampak Kasus Hati-Hati Judi Online Terhadap Remaja", *Jurnal Pendidikan Sosial dan Humaniora,* No.4 Vol.3, 2024, page 4.

[15] *ibid*

[16] Annisa Laras, "Analisis Dampak Judi Online Di Indonesia, found in https://doi.org/10.55606/concept.v3i2.1304, accessed on April 30, 2026.

4. Literature Review on Criminology

a. Definition of Criminology

Criminology emerged in the mid-19th century, during a movement rooted in humanitarianism that questioned existing crime and the prison system. Criminology arose from the research conducted by Cesare Lombroso (1876) on the theory of atavism and criminal types. Criminology in the 20th century has undergone a shift in perspective. Criminology aims to address existing criminal cases in society and to shift the focus toward the process of legislation originating from state power as the underlying cause of the emergence of crime and criminals in society.[17] Etymologically, criminology is derived from the Greek words "crime" and "logos," thus defining criminology as the science that studies crime.[18]

Criminology is the study of crime. It is also the study of how criminals commit crimes and how to prevent and combat such crimes.[19] W.A. Bonger defines criminology as a science that aims to investigate the phenomena of crime as broadly as possible.[20] J. Constant argues that criminology is a science that aims to identify the factors that cause crime.[21]

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[17] Romli Atmassasmita, Teori dan Kapita Selekta Kriminologi, Eresco, Bandung, 2010, page 3

[18] Yuliartini, "Kenakalan Anak Dalam Fenomena Balapan Liardi Kota Singaraja Dalam Kajian Kriminologi*", Jurnal Advokasi*, Edisi No.1 Vol.9, page 34

[19] A.S Alam dan Amir Ilyas, *Pengantar Kriminologi,* Pustaka Refleksi, Makassar, 2010 page 2

[20], W.A. Bonger *Pengantar Tentang Kriminologi*, Ghalia Indonesia, Bogor, 1997, page 21

[21] A.S. Alam dan Amir Ilyas, Op.Cit, page 2

b. Scope of Criminology

W.A. Bonger divides criminology into two types: pure criminology (theoretical criminology) and applied criminology (practical criminology). [22] From a theoretical criminological perspective, criminology is divided into five branches, namely:[23]

1) Criminal Athropology

it is a field of study that examines human criminal behavior and the physical characteristics of criminals.

2) Criminal Sociology

It is the study of crime as a social phenomenon. In addition, criminological sociology also examines the social factors that lead individuals to commit crimes.

3) Criminal Psychology

It is the field of study that examines crime from a psychological perspective. This field examines an individual's psychology, mental disorders, and the psychological state of those involved.

4) Psychopathology

It is the study of mentally ill criminals.

5) Penology

[22] Topo Santoso dan Eva Achjani Zulfa, Kriminologi, Raja Grafindo Persada. Jakarta, 2015, page 9

[23] *ibid*

It is the study of punishment (criminal law).

Meanwhile, applied criminology, or practical criminology, is divided into three branches: criminal hygiene, criminal policy, and criminalistics. Criminal hygiene is the science of preventing and eradicating crime. Criminal policy is a branch of criminology that aims to determine effective legal measures to prevent offenders from reoffending. Meanwhile, criminalistics is the study of the conduct of criminal investigations and the prosecution of crimes.

F. Operational Definition

1. Definition Online Gambling

Online gambling is a form of betting conducted exclusively via the internet outside of traditional gambling settings, offering a variety of fast-paced and exciting games, frequent winning opportunities, and the chance to quickly play again and wager money on websites.

2. Modus Operandi

Modus operandi refers to the method or technique used by a criminal to carry out their crime. Modus operandi describes how the crime was carried out.

3. Judicial Considerations

Judicial considerations is of paramount importance in ensuring that a ruling reflects justice (ex aequo et bono) and guarantees legal certainty. The judicial considerations in this study are those found in

Judgment No. 174/Pid.B/2023/PN Idm, Judgment No. 86/Pid.B/2024/PN Plg, and Judgment No. 431/Pid.B/2025/PN Bjm.

G. Research Methods

1. Type of research

This study is a normative legal study. Normative legal research focuses on the applicable positive law. Normative or doctrinal legal research focuses on legislation, legal documents, court transcripts, and court decisions. Normative legal research involves collecting and analyzing the law along with relevant legal norms.

Sudikno Mertokusumo defines normative legal research as research that encompasses legal principles, legal rules, specific legal provisions, and legal systems.[24] Soerjono Soekanto defines normative legal research as research that examines secondary data.[25] Soerjono Soekanto argues that the scope of normative legal research includes the study of legal principles, legal systematics, the degree of legal harmonization, legal history, and comparative law.[26] Thus, normative legal research is research aimed at providing an explanation of a norm or rule governing a specific area of law.

a. Statute Approach

This approach involves examining all laws and regulations pertaining to the legal issue being discussed by the author. According

[24] Sudikno Mertokusumo, *Penemuan Hukum*, Liberty, Yogyakarta, 2001, page.29.
[25] Soerjono Soekanto & Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, Pt. Raja Grafindo Persada, Jakarta, 2003, page.13
[26] *Ibid*

to Peter Mahmud Marzuki, the statutory approach is one that relies on legislation and regulations.[27] This legislative approach led the author to examine the consistency and compatibility between higher-level legislation and lower-level legislation. In this study, the author utilized the Law on the Regulation of Gambling, the Law on Information and Electronic Transactions, and the Law on Judicial Power.

b. Case Approach

This is an approach used to examine the application of legal norms or rules in practice, particularly in court decisions that have become final and binding. In this context, the author uses cases derived from Judgment No. 174/Pid.B/2023/PN Idm, Judgment No. 86/Pid.B/2024/PN Plg, and Judgment No. 431/Pid.B/2025/PN Bjm. The use of this approach aims to analyze the cases and provide input and perspectives regarding the cases the author has discussed.

2. Research Data Sources

This study is normative in nature and therefore uses secondary data consisting of:

a. Primary Legal Sources

Primary legal sources are legal materials consisting of laws and regulations that are binding on the public. The primary legal

[27] Mukti Fajar dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif dan Empiris*, Pustaka Pelajar, Yogyakarta, 2010, page.157

sources used in this study consist of laws and regulations related to the topic addressed by the author, including:

1) Primary legal sources:
    a) Criminal Code (KUHP)\
    b) Code of Criminal Procedure (KUHAP)
    c) Law No. 7 of 1974 on the Regulation of Gambling
    d) Law No. 48 of 2009 on the Judiciary
    e) Law No. 19 of 2016 amending Law No. 11 of 2008 on Electronic Information and Transactions
    f) Government Regulation of the Republic of Indonesia No. 9 of 1981 on the Enforcement of Gambling Control
    g) Judgment Number 174/Pid.B/2023/PN Idm
    h) Judgment Number 86/Pid.B/2024/PN Plg
    i) Judgment Number 431/Pid.B/2025/PN Bjm
2) Secondary Legal Sources

    Consisting of:

    a) Legal opinions obtained from books, journals, magazines, and research reports.
    b) Legal principles

3. Research data collection methods

This study employs a literature review. A literature review is a method of collecting data through the analysis of written sources using content analysis.[28] The literature review for this study was conducted by searching for and reviewing books, journals, and articles related to the research topic. Through this literature review, the researcher will obtain the data and materials needed for the study.

4. Research Data Analysis

This study employs descriptive analysis to process the data and available materials. This method presents research data in a format that is easily understood by readers. The purpose of this descriptive study is to classify and describe the phenomena under investigation, thereby enabling the researcher to fully understand and address the issues being studied.

H. Thesis Outline

To help readers understand the direction and focus of the research discussed in this paper, the author presents an overview of the paper's structure as follows:

Chapter I contains an introduction covering the background of the problem, the research question, the research objectives, the originality of the research, a literature review, operational definitions, the research method, and the thesis outline.

[28] Soerjono Soekanto, *Pengamtar Penelitian Hukum*, UI-Press, Jakarta, 2007, page.22.

Chapter II contains a discussion consisting of A. literature reviw on gambling offenses, B. literature review on online gambling, C. literature review on criminology, D. literature review on judicial disrection, E. literature review on online gambling from Islamic legal perspective. This chapter consists of a literature review along with a normative analysis related to gambling offenses and modus operandi.

Chapter III contains an analysis of the judge's considerations regarding the modus operandi of the gambling offense in Judicial decisions and analysis legal considerations regarding gambling offenses in judicial decisions.

Chapter IV contains the conclusion, which includes the conclusions and suggestion relevant to the legal research examined in this study.