

The Probative Value of Circumstantial Evidence in Premeditated Murder: An Analysis of Supreme Court Decision No. 498 K/PID/2017

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Abstract

The use of circumstantial evidence in criminal proceedings raises fundamental questions concerning the standard of proof, judicial inference, and the protection of defendants against conviction based on speculation. These concerns are particularly significant in premeditated murder cases, where direct evidence of the defendant's intention and participation may be unavailable. This study examines Supreme Court Decision No. 498 K/PID/2017 concerning Jessica Kumala Wongso to analyse the legal strength of circumstantial evidence in establishing criminal responsibility for premeditated murder. The official Supreme Court case directory records the decision as a murder case in which the defendant was convicted under Article 340 of the Indonesian Criminal Code. This research aims to identify the types of indirect evidence relied upon by the courts and to assess how individual evidentiary circumstances are combined to establish a coherent chain of proof. A normative juridical method is applied through statutory, conceptual, and case approaches. The study focuses on evidentiary principles, judicial inference, and the relationship between individual circumstantial facts and the ultimate conclusion concerning guilt. The analysis argues that circumstantial evidence may possess substantial probative value when multiple independent circumstances mutually reinforce one another and exclude reasonable alternative explanations. Nevertheless, judicial reasoning must clearly demonstrate the logical connection between each evidentiary fact and the elements of the offence. The study concludes that transparent reasoning is essential to ensure that circumstantial evidence operates as a legally structured form of proof rather than subjective judicial inference.

[Penggunaan bukti tidak langsung dalam proses pidana menimbulkan pertanyaan mendasar mengenai standar pembuktian, penalaran yudisial, dan perlindungan terdakwa terhadap vonis berdasarkan spekulasi. Kekhawatiran ini sangat signifikan dalam kasus pembunuhan berencana, di mana bukti langsung tentang niat dan keterlibatan terdakwa mungkin tidak tersedia. Studi ini meneliti Putusan Mahkamah Agung No. 498 K/PID/2017 tentang Jessica

Kumala Wongso untuk menganalisis kekuatan hukum bukti tidak langsung dalam menetapkan tanggung jawab pidana atas pembunuhan berencana. Direktori kasus resmi Mahkamah Agung mencatat putusan tersebut sebagai kasus pembunuhan di mana terdakwa dihukum berdasarkan Pasal 340 KUHP Indonesia. Penelitian ini bertujuan untuk mengidentifikasi jenis-jenis bukti tidak langsung yang diandalkan oleh pengadilan dan untuk menilai bagaimana keadaan pembuktian individual digabungkan untuk membangun rantai pembuktian yang koheren. Metode yuridis normatif diterapkan melalui pendekatan hukum, konseptual, dan kasus. Studi ini berfokus pada prinsip-prinsip pembuktian, penalaran yudisial, dan hubungan antara fakta-fakta tidak langsung individual dan kesimpulan akhir mengenai kesalahan. Analisis ini berpendapat bahwa bukti tidak langsung dapat memiliki nilai pembuktian yang substansial ketika beberapa keadaan independen saling memperkuat satu sama lain dan menyingkirkan penjelasan alternatif yang masuk akal. Meskipun demikian, penalaran yudisial harus secara jelas menunjukkan hubungan logis antara setiap fakta pembuktian dan unsur-unsur tindak pidana. Studi ini menyimpulkan bahwa penalaran yang transparan sangat penting untuk memastikan bahwa bukti tidak langsung berfungsi sebagai bentuk pembuktian yang terstruktur secara hukum, bukan sebagai kesimpulan yudisial yang subjektif.]

Keywords: circumstantial evidence, premeditated murder, burden of proof, criminal evidence, judicial reasoning

Introduction

Criminal adjudication depends fundamentally upon the capacity of the judicial system to establish the existence of a criminal act and the responsibility of the accused through legally admissible and sufficiently persuasive evidence. This requirement becomes particularly challenging in cases of premeditated murder, where the decisive act may occur without direct eyewitnesses and where intention, preparation, opportunity, and participation must often be reconstructed from a series of surrounding circumstances. In such cases, circumstantial evidence may become indispensable because the absence of direct evidence does not necessarily mean that a crime cannot be proved. The legal challenge, however, lies in determining when a collection of indirect circumstances is sufficiently coherent to establish guilt and when the same circumstances remain compatible with reasonable alternative explanations. This distinction is particularly important in systems that seek to reconcile judicial conviction with legally prescribed evidentiary requirements.

Under Indonesian criminal procedure applicable when Supreme Court Decision No. 498 K/Pid/2017 was rendered, the evidentiary system was principally governed by Law No. 8 of 1981 concerning the Criminal Procedure Code (*Kitab*

Undang-Undang Hukum Acara Pidana or KUHAP). Article 183 embodies the principle generally described as the *negatief wettelijk bewijstheorie*, requiring the judge to possess conviction concerning the occurrence of the criminal act and the guilt of the accused while simultaneously requiring at least two legally recognized forms of evidence. This provision therefore establishes a dual threshold: legally valid evidence and judicial conviction must operate cumulatively rather than independently. Recent scholarship continues to characterize Article 183 as the foundation of Indonesia's negative legal proof system and emphasizes that judicial conviction cannot legitimately substitute for the statutory evidentiary minimum (Triantono and Marizal 2021).

Within this framework, *petunjuk* occupies a distinctive position. Article 188 of the KUHAP defines *petunjuk* as an act, event, or circumstance which, because of its correspondence with one another and with the criminal act itself, indicates that a criminal act has occurred and who committed it. Article 188 paragraph (2) further provides that *petunjuk* may be obtained from witness testimony, documents, and the testimony of the accused. Consequently, what is commonly described in comparative legal literature as “circumstantial evidence” does not constitute a completely autonomous category of evidence under the KUHAP. Rather, its juridical operation is mediated through the statutory concept of *petunjuk*. Pangestu, Suyanto, and Agustanti explain that circumstantial evidence in Indonesia is closely associated with *petunjuk* under Article 188 and becomes especially significant where direct evidence is unavailable, although it should correspond with other legally recognized evidence (Pangestu, Suyanto, and Agustanti 2021).

The distinction between circumstantial evidence and *petunjuk* is more than terminological. It determines the legal basis upon which a court may construct an inference of guilt. Circumstantial evidence does not prove the ultimate proposition directly; rather, it establishes intermediate facts from which the ultimate conclusion may be inferred. This inferential structure creates both its strength and its danger. Multiple circumstances may collectively provide a powerful evidentiary chain even where no individual circumstance proves guilt independently. Conversely, if the inference connecting the intermediate facts to guilt contains an unsupported assumption, the apparent strength of the chain may be illusory. Wulandari therefore observes that circumstantial reasoning can assist judges in difficult cases but requires careful legal analysis because the evidentiary theory must remain connected to the forms of evidence recognized by the KUHAP (Wulandari 2018).

Supreme Court Decision No. 498 K/Pid/2017 represents an important case for examining this issue. The Supreme Court rendered the decision on 21 July 2017 in the case of Jessica Kumala Wongso, affirming her criminal responsibility for premeditated murder under Article 340 of the Indonesian Criminal Code and imposing a sentence of twenty years' imprisonment. The official Supreme Court directory records the decision as final and identifies Jessica Kumala Wongso as the defendant. The case is particularly significant because the prosecution did not depend upon a conventional eyewitness account of the accused directly

administering cyanide to the victim. Instead, the judicial reasoning involved a combination of testimonial, documentary, forensic, CCTV-related, and circumstantial materials from which the courts constructed an evidentiary narrative concerning preparation, opportunity, conduct, and causation.

The case has generated substantial scholarly discussion concerning the legitimacy and probative value of circumstantial evidence. Wulandari's analysis of the underlying District Court decision emphasizes that the court relied substantially upon indirect evidence in circumstances where no eyewitness directly established the alleged poisoning. More recent research by Bagas, Mulyati, and Danil likewise identifies the Jessica Wongso case as an important example of the use of circumstantial evidence in Indonesian criminal proceedings and argues that the case demonstrates the need for clearer standards concerning indirect evidence, particularly from the perspective of due process and the presumption of innocence (Bagas, Mulyati, and Danil 2024). Other scholarship reaches more critical conclusions, questioning whether the relationship between the circumstantial facts and the ultimate conclusion concerning causation and criminal responsibility was sufficiently established.

The continuing debate demonstrates that the central issue is not whether circumstantial evidence is legally permissible in principle. The more difficult question is how much probative value should be attributed to a chain of circumstances and what standard of reasoning should govern the transition from individual factual circumstances to a conclusion of guilt. This question becomes particularly important in premeditated murder because Article 340 requires proof not merely of an intentional killing but of a prior plan or deliberation. Thus, judicial reasoning must address multiple dimensions of criminal responsibility, including the occurrence of death, the causal relationship between the defendant's conduct and the death, the intentional character of the conduct, and the existence of prior planning.

The urgency of this research arises from the risk that circumstantial reasoning may either be undervalued or overextended. If courts require direct evidence in every serious criminal case, carefully planned offences may become practically impossible to prosecute. Conversely, if courts accept a chain of weak or mutually dependent circumstances as sufficient proof, the presumption of innocence may be compromised. The problem is particularly relevant to contemporary criminal justice because advances in digital surveillance, forensic science, and data analysis increasingly generate complex evidentiary chains in which no single item is necessarily decisive. The legal system therefore requires principles capable of distinguishing legitimate inference from speculation.

Previous studies have predominantly examined circumstantial evidence from the perspective of its legal status, the concept of *petunjuk*, or the general evidentiary reasoning employed in the Jessica Wongso case. Pangestu, Suyanto, and Agustanti establish the relationship between circumstantial evidence and Article 188 of the KUHP (2021). Wulandari analyzes the use of circumstantial evidence in the

original Jessica Wongso proceedings and emphasizes its relationship with the Indonesian negative proof system (2018). Amiruddin and Syamsuddin similarly conclude that circumstantial evidence operates principally as supporting evidence and must be related to recognized forms of evidence (2021). More recent scholarship has emphasized the need for clearer standards and greater protection against subjective inference (Bagas, Mulyati, and Danil 2024).

Nevertheless, a doctrinal gap remains concerning the probative structure of circumstantial evidence at the Supreme Court level, particularly how individual circumstances should be assessed in relation to one another and to the specific elements of premeditated murder. Existing studies frequently ask whether circumstantial evidence is legally permissible but devote less attention to the methodological question of when a combination of circumstances becomes sufficiently strong to satisfy Article 183. This study addresses that gap by examining the relationship between evidentiary facts, inferential reasoning, and the ultimate conclusion of guilt in Decision No. 498 K/Pid/2017.

This study employs a normative juridical method using statutory, conceptual, and case approaches. The statutory approach examines Articles 183, 184, and 188 of the KUHAP and Article 340 of the Criminal Code as the legal framework applicable to the case. The conceptual approach examines circumstantial evidence, *petunjuk*, the negative legal proof system, judicial conviction, the burden and standard of proof, and evidentiary inference. The case approach focuses on Supreme Court Decision No. 498 K/Pid/2017 and the judicial reasoning concerning the evidentiary chain supporting the conviction. Secondary legal materials consist primarily of scholarly journal articles addressing Indonesian criminal evidence and circumstantial reasoning.

The contribution of this study is to develop a structured model of circumstantial proof based on four requirements: (1) evidentiary legality, (2) factual consistency, (3) inferential coherence, and (4) exclusion of reasonable alternative explanations. Under this approach, circumstantial evidence should not be assessed simply by counting the number of circumstances supporting guilt. Instead, the court must determine whether the circumstances are legally valid, whether they mutually reinforce rather than merely repeat one another, whether each inference is logically connected to the elements of the offence, and whether the totality of evidence sufficiently excludes reasonable competing explanations. This framework provides a basis for evaluating the probative value of circumstantial evidence while preserving the safeguards embedded in Article 183 of the KUHAP.

The Legal Position of Circumstantial Evidence under the Indonesian Criminal Evidence System

The first issue is the legal status of circumstantial evidence within the KUHAP. The term “circumstantial evidence” does not appear expressly as an independent category in Article 184 of the KUHAP. Article 184 instead identifies witness

testimony, expert testimony, documents, *petunjuk*, and the statement of the accused as legally recognized evidence. Circumstantial reasoning consequently operates principally through *petunjuk* and through the inferential evaluation of other forms of evidence.

Article 188 provides that *petunjuk* may be obtained from acts, events, or circumstances that, because of their correspondence with one another and with the criminal act, indicate that a crime occurred and identify its perpetrator. The statutory formulation is therefore inherently relational. A circumstance does not necessarily constitute a *petunjuk* simply because it is suspicious. Its legal significance depends upon its correspondence with other evidentiary facts and with the criminal act itself.

This relational character distinguishes legally meaningful circumstantial evidence from speculation. A judge may infer a fact from surrounding circumstances, but the inference must be anchored in evidence recognized by law. Pangestu, Suyanto, and Agustanti emphasize that circumstantial evidence is particularly useful where direct evidence is unavailable, but it must remain consistent with other evidence in the case (2021). Article 188 paragraph (2) is equally important because it limits the evidentiary sources from which *petunjuk* may be derived. The provision means that a judge cannot simply rely upon personal impressions, media reports, assumptions, or facts outside the evidentiary record. The circumstantial conclusion must ultimately be traceable to legally recognized testimony, documents, or statements of the accused.

The evidentiary system must also be read together with Article 183. The existence of *petunjuk* does not eliminate the requirement that at least two lawful pieces of evidence support the conviction. Nor does a judge's subjective conviction independently establish guilt. Triantono and Marizal emphasize that Article 183 requires the statutory evidentiary minimum and judicial conviction cumulatively, while noting that Indonesian law does not provide an entirely precise parameter for determining the required degree of judicial conviction (2021).

This structure can be described as a negative legal proof system. The system seeks to avoid two extremes. Under a purely statutory system, a predetermined quantity of evidence might mechanically compel conviction even where the judge has serious doubts. Under a purely subjective system, conviction could rest on judicial intuition without sufficient objective evidence. Article 183 combines the two by requiring both legally prescribed evidence and judicial conviction.

The requirement has significant implications for circumstantial evidence. A chain of circumstances cannot be sufficient merely because it produces a strong subjective impression. The chain must satisfy the statutory evidentiary requirements and must provide a rational foundation for judicial conviction. In this sense, circumstantial evidence should be understood as a mode of evidentiary reasoning, rather than simply a separate evidentiary object.

Recent research concerning Indonesian forensic evidence reinforces this point. Indonesian criminal procedure does not expressly recognize forensic

evidence as an independent evidentiary category; forensic findings commonly enter the trial through expert testimony or documentary evidence. The same structural logic applies to circumstantial evidence: its legal significance depends upon its incorporation into recognized evidentiary categories (Kurniawan et al. 2026).

The legal status of circumstantial evidence therefore should not be described as either wholly “recognized” or wholly “unrecognized.” The more accurate position is that circumstantial reasoning is legally accommodated through the concept of *petunjuk* and the evaluation of recognized evidence. This interpretation avoids creating a new category of evidence outside Article 184 while acknowledging the practical necessity of inferential reasoning in criminal adjudication.

The Evidentiary Chain in Supreme Court Decision No. 498 K/Pid/2017

Supreme Court Decision No. 498 K/Pid/2017 is significant because the Court upheld the conviction of Jessica Kumala Wongso for premeditated murder under Article 340 of the Criminal Code. The official Supreme Court record states that the defendant was found guilty of “murder planned beforehand” and sentenced to twenty years’ imprisonment. The evidentiary reasoning underlying the case involved a collection of circumstances rather than a single direct observation establishing that the accused administered cyanide to the victim. The evidentiary structure included circumstances concerning the defendant’s arrival and conduct at the café, the placement and handling of the coffee, CCTV-related observations, witness testimony, forensic evidence concerning cyanide, and other circumstances considered by the courts in constructing the narrative of the offence.

The importance of these circumstances lies not necessarily in their individual strength but in their cumulative relationship. A particular circumstance may have limited probative value when examined independently. However, if several circumstances independently establish preparation, opportunity, conduct, and consequence, their combined effect may become substantially stronger.

This is commonly described as a “chain of evidence.” The chain metaphor, however, must be used carefully. A chain is only as strong as its weakest essential link, but not every evidentiary circumstance has the same function. Some circumstances may establish opportunity; others may establish conduct; others may corroborate causation; and others may provide evidence of planning. The court must therefore identify the specific proposition that each circumstance supports.

For example, evidence that a defendant was present at the crime scene may establish opportunity but does not by itself establish authorship. Evidence that the defendant had access to an object associated with the offence may establish opportunity or capability but does not necessarily prove intent. Evidence of suspicious conduct after the event may support an inference of consciousness but cannot automatically prove that the defendant committed the underlying act.

This differentiation is critical in premeditated murder. Article 340 requires proof of killing accompanied by prior planning. The evidentiary chain must therefore establish not only that the defendant caused the death but also that the killing was intentional and planned beforehand. A chain that establishes opportunity without establishing participation cannot satisfy the offence. Similarly, evidence of hostility or motive does not independently prove that the accused performed the killing.

The available scholarship demonstrates that the Jessica Wongso case has precisely this inferential complexity. A recent study identifies preparation, exclusive control over the coffee glass, and forensic cyanide findings as components of the chain of evidence used by the courts (Raihan 2026). While this source is a recent undergraduate thesis rather than a peer-reviewed journal article, its identification of the evidentiary chain is useful as a secondary research source and should not substitute for the primary Supreme Court decision. The legal significance of the chain therefore depends upon whether the circumstances mutually reinforce one another. Merely accumulating ten weak circumstances does not necessarily produce strong proof. Conversely, several independently established circumstances may become powerful when they converge upon the same factual conclusion.

This leads to an important distinction between quantity and quality of evidence. A court should not reason that because numerous circumstances point toward guilt, the burden of proof has automatically been satisfied. Each circumstance must first be assessed for reliability, relevance, and legal admissibility. Only then can the court assess its cumulative significance.

The Supreme Court's role at the cassation level also affects the analysis. Cassation is principally concerned with errors of law rather than functioning as a complete retrial of facts. Consequently, the Supreme Court's assessment in Decision No. 498 K/Pid/2017 must be understood as an examination of whether the lower courts correctly applied the law to the evidentiary findings established in the proceedings. The Court's confirmation of the conviction therefore reinforces the legal validity of the evidentiary reasoning rather than creating an independent factual record equivalent to a trial court's fact-finding function.

The case consequently demonstrates the importance of transparent evidentiary mapping. Courts should identify each relevant circumstance, explain the fact that the circumstance establishes, identify the legal element to which that fact relates, and then explain how the circumstances converge. Without such mapping, a chain-of-evidence argument risks becoming rhetorical rather than analytical.

Circumstantial Evidence and the Standard of Proof under Article 183 KUHAP

The central doctrinal question is whether a combination of circumstantial evidence can satisfy the requirement of Article 183. The answer should be affirmative,

provided that the evidence complies with the statutory framework and produces judicial conviction grounded in rational inference. Nothing in Article 183 requires every fact constituting a criminal offence to be proven through direct evidence.

Indeed, a strict requirement of direct evidence would create serious difficulties for the prosecution of carefully planned crimes. Premeditated offences may be deliberately structured to minimize eyewitnesses, conceal physical evidence, and prevent direct observation of the critical act. If circumstantial evidence were inherently insufficient, the legal system would effectively create an incentive for offenders to eliminate direct evidence. However, the permissibility of circumstantial evidence does not lower the standard of proof. It changes the method by which the standard is satisfied. Instead of proving the ultimate fact directly, the prosecution proves a set of intermediate facts from which the ultimate fact may be inferred.

The distinction can be illustrated through the following logical structure:

Evidence → Intermediate fact → Inference → Element of offence → Overall conclusion of guilt.

For example, evidence may establish that the accused had an opportunity to perform an act. That fact may support an inference of participation, but only if additional evidence connects the opportunity to the actual conduct. The inference therefore cannot simply leap from “the accused could have done it” to “the accused did it.”

This is where the principle of exclusion of reasonable alternatives becomes important. Circumstantial evidence has high probative value when the established circumstances are difficult to explain under an innocent hypothesis but readily explainable under the prosecution's theory. Conversely, where an innocent explanation remains reasonably compatible with the evidence, the inference of guilt should be treated with caution.

The principle does not mean that the prosecution must eliminate every imaginable possibility of innocence. Such a requirement would establish an impossible standard. The relevant question is whether the evidentiary record reasonably supports competing explanations that undermine the prosecution's conclusion. This approach is consistent with the logic of Article 183. Judicial conviction must be derived from the evidence rather than from speculation. Recent scholarship on the parameters of judicial conviction emphasizes that Article 183 requires a cumulative relationship between legally valid evidence and judicial belief (Triantono and Marizal 2021).

The difficulty is that Indonesian law does not provide a mathematical definition of the required level of conviction. Courts therefore exercise considerable interpretive discretion. This makes judicial reasoning particularly important in circumstantial cases. The more indirect the evidence, the more important it

becomes for the judgment to explain the inferential steps connecting evidence to guilt.

A useful analytical distinction can be made between supporting inference and constitutive inference. Supporting inference establishes a fact that corroborates another piece of evidence. Constitutive inference is the reasoning through which the court establishes an element of the offence. The latter requires substantially greater scrutiny because an unsupported constitutive inference can effectively manufacture an element that has not been proven.

For instance, evidence that the defendant behaved unusually may support an inference of consciousness, but it should not independently constitute proof of premeditation. Similarly, evidence concerning motive may provide contextual support but should not substitute for proof of the *actus reus*.

This distinction is especially important for Article 340. Premeditation is not simply an inference from the fact that a person died. It requires a legally meaningful connection between the accused's conduct and the prior planning of the killing. The judicial reasoning must therefore demonstrate why the relevant circumstances establish deliberation rather than merely intentional conduct at the moment of the offence. The Supreme Court's decision should consequently be evaluated according to whether the evidentiary circumstances were sufficiently connected to the elements of Article 340. The official record establishes that the Court ultimately concluded that Jessica was guilty of premeditated murder and imposed a twenty-year sentence. The doctrinal question for this study is not simply whether that conclusion was reached but whether the structure of circumstantial reasoning provides a sufficiently transparent model for future cases.

The importance of transparency becomes even greater because public confidence in circumstantial cases can be fragile. Where the public perceives that an accused was convicted on "suspicion," the legitimacy of the judgment may be undermined even if the court technically relied upon legally recognized evidence. A judgment should therefore make clear that the conviction rests upon evidence-based inference rather than intuition.

From Suspicion to Proof: A Structured Model for Assessing Circumstantial Evidence

The analysis above supports the development of a four-stage framework for evaluating circumstantial evidence in Indonesian criminal adjudication. First, evidentiary legality. Every circumstance used in the inferential chain must be traceable to a legally recognized form of evidence. The court should identify whether the relevant fact derives from witness testimony, expert testimony, documentary evidence, *petunjuk*, or the defendant's statement under Article 184 of the KUHP. This requirement prevents the court from treating information obtained outside the trial as if it were evidence. A judge may possess background knowledge

or form impressions concerning the case, but judicial conviction must be constructed from evidence legally presented and assessed in the proceedings.

Second, factual reliability and independence. The court should determine whether each circumstance is independently established and whether multiple circumstances genuinely corroborate one another. This is particularly important because several circumstances may actually derive from a single underlying source. For example, three witnesses repeating the same information obtained from one source should not necessarily be treated as three independent circumstances. Similarly, multiple interpretations of the same CCTV sequence do not necessarily constitute independent corroboration. The probative value of a chain increases where its important links arise from independent evidentiary sources. Conversely, if the entire chain depends upon one uncertain assumption, its apparent complexity may be misleading.

Third, inferential coherence. The court should explicitly explain how each circumstance supports the next inference. This requirement is crucial because circumstantial evidence necessarily involves reasoning. The question is not whether inference is permissible but whether the inference is logically and legally justified. A judgment should therefore avoid formulations such as “the defendant's behavior was suspicious and therefore she must have committed the crime.” Such reasoning compresses several unexamined assumptions into one conclusion. Instead, the court should identify the factual proposition established by the behavior, explain its relevance to the offence, and identify the additional evidence necessary to connect it to guilt.

Fourth, exclusion of reasonable alternative explanations. Finally, the court should examine whether the totality of evidence is reasonably compatible with an innocent explanation. The presence of alternative explanations does not automatically require acquittal, but a plausible and evidence-supported alternative should be directly addressed in the judicial reasoning.

This fourth requirement provides the strongest protection against subjective inference. It forces the court to confront not only why the prosecution's theory is plausible but also why competing explanations are insufficient. Such a framework does not impose a foreign evidentiary test upon Indonesian law. Rather, it operationalizes the existing requirements of Articles 183 and 188 by requiring courts to explain how legally valid evidence produces judicial conviction.

The framework is also consistent with scholarly concerns regarding the current Indonesian system. Bagas, Mulyati, and Danil argue that the use of circumstantial evidence requires clearer standards to protect due process and the presumption of innocence (2024). Wulandari likewise notes that circumstantial evidence can assist adjudication in difficult cases but requires careful doctrinal treatment within the Indonesian evidence system (2018).

The framework is particularly relevant to the Jessica Wongso case because the case demonstrates the practical necessity of inferential reasoning. At the same time, it illustrates why inferential reasoning must remain transparent. The absence of a

direct eyewitness does not invalidate the prosecution's case, but it places greater responsibility upon the court to demonstrate the evidentiary relationship between each established circumstance and the ultimate conclusion.

The framework also helps distinguish circumstantial evidence from speculation. Speculation occurs where the conclusion is based upon an unsupported possibility. Circumstantial proof exists where the conclusion is derived from established facts through a rational and legally accountable inference. The distinction can be summarized as follows:

Element	Legitimate circumstantial proof	Speculative inference
Source	Legally recognized evidence	Unverified assumption
Relationship	Multiple facts mutually reinforce	Facts only loosely connected
Inference	Explicit and logically explained	Implicit or conclusory
Alternative explanations	Examined and reasonably excluded	Ignored
Judicial conviction	Derived from evidence	Based substantially on intuition

This distinction is essential for maintaining the legitimacy of criminal adjudication. The strength of circumstantial evidence lies not in its ability to create suspicion but in its ability to transform established intermediate facts into a rationally compelling conclusion.

Implications of Decision No. 498 K/Pid/2017 for Indonesian Criminal Adjudication

Decision No. 498 K/Pid/2017 has broader implications beyond the individual case because it illustrates how Indonesian courts may approach complex criminal cases in which direct evidence is limited. The official Supreme Court record confirms that the Court upheld the conviction under Article 340 and imposed twenty years' imprisonment. The case consequently demonstrates that the absence of direct evidence does not prevent conviction where the totality of legally recognized evidence supports the required judicial conviction.

Nevertheless, the case should not be interpreted as establishing that circumstantial evidence is inherently sufficient for conviction. Its doctrinal significance lies instead in demonstrating that circumstantial evidence may satisfy the evidentiary standard when it forms a legally valid and logically coherent chain.

This distinction is important because a later case involving different circumstances cannot simply invoke the Jessica Wongso precedent to justify conviction on indirect evidence. Each case must satisfy Article 183 independently.

The evidentiary chain must be constructed from the particular evidence available in that case.

The case also demonstrates the importance of differentiating the roles of motive, opportunity, preparation, conduct, and forensic evidence. Motive may explain why an accused might commit an offence, but motive is not necessarily an element of murder. Opportunity may demonstrate that the accused could have committed the act, but it does not establish that the accused actually did so. Forensic evidence may establish the mechanism of death, but its significance depends upon its relationship with the accused's conduct.

The probative value of each circumstance must therefore be assessed according to its functional relationship with an element of the offence. This prevents courts from accumulating prejudicial information that has little direct relevance to the legal question. The approach is particularly important in high-profile criminal cases. Public attention can create an evidentiary environment in which media narratives, public expectations, and assumptions about the accused's character influence perceptions of guilt. A judicial decision must therefore clearly separate legally established facts from external narratives.

The need for such discipline is consistent with the broader literature on judicial conviction. Triantono and Marizal identify the absence of precise parameters for judicial conviction as an important doctrinal problem in Article 183 (2021). Circumstantial cases intensify that problem because the evidentiary conclusion necessarily involves multiple inferential steps.

The implications are also relevant to the development of Indonesian criminal procedure. Recent scholarship has noted that the evidentiary system continues to face doctrinal challenges concerning the status of indirect and forensic evidence. These developments reinforce the need for courts to articulate evidentiary reasoning more systematically rather than relying upon broad assertions concerning "the judge's conviction." Although Indonesia has subsequently enacted a new Criminal Procedure Code in 2025, the present analysis concerns the legal framework applicable to Decision No. 498 K/Pid/2017. The later statutory development should not be retroactively imposed upon the 2017 decision. Nevertheless, contemporary reform demonstrates that the structure of criminal evidence remains an active area of legal development and that questions concerning indirect evidence, judicial observation, and evidentiary reliability remain doctrinally important.

The ultimate lesson from the case is therefore not that circumstantial evidence should replace direct evidence. Rather, circumstantial evidence should be understood as a legitimate evidentiary pathway whose legitimacy depends upon the quality of the reasoning connecting established facts to the elements of the offence. A transparent judgment should consequently answer four questions: What facts have been established? What evidence establishes each fact? What inference follows from each fact? And why does the totality of those inferences establish guilt beyond reasonable alternative explanations? The clearer the court's answer to these questions, the more legitimate the use of circumstantial evidence becomes.

Conclusion

Supreme Court Decision No. 498 K/Pid/2017 demonstrates that circumstantial evidence can play a significant role in establishing criminal responsibility for premeditated murder under Indonesian criminal procedure. The Supreme Court ultimately upheld the conviction of Jessica Kumala Wongso under Article 340 of the Criminal Code and imposed a twenty-year sentence. The case illustrates that the absence of direct eyewitness testimony does not automatically prevent conviction because Indonesian criminal procedure permits judicial reasoning based upon legally recognized evidence and *petunjuk*. Under Articles 183 and 188 of the KUHP, however, circumstantial reasoning must remain connected to the statutory evidentiary framework and must contribute to judicial conviction together with the minimum number of legally valid forms of evidence.

The analysis demonstrates that the probative value of circumstantial evidence should not be determined merely by the number of circumstances supporting the prosecution's theory. Its strength depends upon the legality of its evidentiary sources, the reliability and independence of the factual circumstances, the logical coherence of the inferences drawn from them, and the extent to which reasonable alternative explanations have been addressed. Circumstantial evidence becomes legally persuasive when multiple independently established circumstances mutually reinforce one another and form a coherent evidentiary chain connecting the accused to the material elements of the offence. Conversely, where the chain depends upon unsupported assumptions or logical leaps, the evidence risks becoming speculation rather than proof. Accordingly, this study proposes a structured approach based on evidentiary legality, factual consistency, inferential coherence, and exclusion of reasonable alternative explanations. This approach strengthens the negative legal proof system by ensuring that judicial conviction under Article 183 is demonstrably derived from evidence rather than subjective intuition. The broader significance of Decision No. 498 K/Pid/2017 therefore lies not simply in its treatment of Jessica Wongso, but in its illustration of the continuing need for transparent judicial reasoning when criminal liability is established indirectly. In a modern criminal justice system, circumstantial evidence should neither be regarded as inherently weak nor treated as automatically conclusive; its probative value must be demonstrated through a disciplined and legally accountable chain of reasoning.

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