## Abstract

The study entitled "Legal Review of the Criminal Act of Embezzlement of Fiduciary Collateral Goods in Bone Bolango Regency: A Case Study of Decision Number 175/Pid.Sus/2024/PN Gto" examines the application of law and critically analyzes the judicial decision regarding the embezzlement of fiduciary collateral goods. Employing normative legal research with statutory and case approaches, the study finds that the legal application in Decision Number 175/Pid.Sus/2024/PN Gto is grounded in Article 36 of Law Number 42 of 1999 concerning Fiduciary Security. The defendant was found to have transferred the object specified in Article 36 of the Fiduciary Security Law without written approval from PT Smart Multi Finance, Gorontalo Branch, as the fiduciary recipient. The legal reasoning applied the principle of lex specialis derogat legi generali, whereby the specific provisions of the Fiduciary Security Law superseded Article 372 of the Indonesian Criminal Code. Judicial considerations were based on trial facts, evidence, witness testimony, and the defendant's confession. Aggravating circumstances included the losses suffered by the victim, while mitigating factors comprised the defendant's cooperative attitude, remorse, and lack of prior convictions. The panel of judges imposed a lighter sentence: five months' imprisonment and a fine of IDR 1,000,000.00, with a subsidiary penalty of one month's imprisonment. While the decision provided legal certainty and a deterrent effect, it did not fully satisfy the principle of justice, as it prioritized punishment over restitution for the victim. The aspect of compensation for the fiduciary recipient was not adequately addressed, leaving the victim's losses unresolved. Consequently, the decision met the requirement of legal certainty but did not fully achieve substantive justice for the injured party.



**Keywords:** Fiduciary Security, Embezzlement, Judicial Considerations, Legal Application.



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