

ABSTRACT

This study discusses the problem of theft in the family committed by a child against his biological mother, with the background of online gambling addiction as the main motive. This study was prepared in the form of a legal memorandum to analyze the juridical aspects of the case of the theft of one unit of motorcycle and one unit of car belonging to the victim, T, which was carried out by his biological son, F, who then sold these items for online gambling capital. The main problems studied include the qualification of the criminal act, and the legal steps that can be taken by the victim. This study uses legal interpretation methods, namely grammatical, systematic, and teleological, to examine the application of Article 362 and Article 367 of the Criminal Code and Article 27 paragraph (2) jo. Article 45 paragraph (2) of the ITE Law. The results of the analysis showed that F's act met the elements of the crime of theft in the family which included a relative complaint offense, so that the legal process could only be carried out on the basis of the victim's complaint. The theft of criminal sanctions is expected to have a deterrent effect, and emphasizes that family relationships cannot be an excuse to justify unlawful acts. This research also emphasizes the importance of legal protection for victims in the family sphere as a form of legal functioning to ensure justice, certainty, and order in society.

Keywords : Criminal Law; Online Gambling; Family Theft