

ABSTRAK

Tindak pidana penipuan melalui internet merupakan salah satu tindak pidana dalam lingkup dunia maya yang disebut dengan *Cybercrime*. Kejahatan ini dilakukan dengan cara menyebarkan informasi yang tidak benar yaitu dengan melakukan bisnis *Online* menjualkan barang dagangannya melalui internet ataupun melalui sms, namun barang dagangan tersebut tidak sampai ke tangan konsumen.

Atas adanya laporan dari korban penipuan kepada polisi, maka penyidik melakukan penyidikan secara khusus karena penipuan ini bukanlah penipuan pada umumnya. Oleh karena itu adapun rumusan permasalahannya yaitu bagaimana pengaturan hukum pidana terhadap tindak pidana penipuan melalui internet menurut KUHP maupun menurut Undang–Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik, serta bagaimana mekanisme penyidik melakukan penyidikan tindak pidana penipuan melalui internet.

Kasus penipuan jual beli melalui internet di Indonesia sangat tinggi akan tetapi dengan adanya undang-undang yang telah di buat sangat kurang didalam menjerat para pelaku kejahatan internet khususnya jual beli melalui media *Online*. Banyak adanya kendala dan hambatan pihak penyidik didalam mengungkap pelaku kejahatan Internet (*cybercrime*).

ABSTRACT

Along with the increasing use of the internet and the rise of online shops on social media and also online transaction (E-Commerce) in Indonesia there are many cases of fraud via the Internet. Criminal fraud via the internet is one of the criminal acts within the scope of the virtual world called cybercrime. This criminal act is done by spreading false information online which conducted by online business or selling goods via Internet or through SMS, but consumers do not receive the goods after purchase it.

Because there are many reports from the victims of criminal fraud to the police, the investigator conducting the investigation specifically because this fraud is not common fraud. Therefore, the reseach problems of this paper is how to rule the criminal law against fraud via the internet according to the Criminal Code and by Act No.11 of 2008 on Information and Electronic Transaction, as well as the mechanism of how investigators conduct the criminal investigations of fraud via the internet.

The fraud cases through online selling over the internet is very high in Indonesia, however the existence of ITE law that has been made is underrated to ensnare the offenders especially the online selling through online media due to the many constraints and barriers within the investigating authorities to reveal the offenders of Internet crime (cybercrime).

