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The Principle of Trust and the Bank's Responsibility in Restricting Access to the AMPB Coordinator's Account

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ABSTRACT

This study examines whether the blocking of the bank account of a customer affiliated with the Aliansi Masyarakat Pati Bersatu (AMPB) complied with Article 140 of Law No. 20 of 2025 concerning the Criminal Procedure Code (KUHAP), and whether it was consistent with the bank's obligations under the fiduciary relation principle. Using normative legal research with statutory, conceptual, and case approaches, the study analyzes primary and secondary legal materials through deductive-prescriptive reasoning. The findings show that an account block is lawful only if it is ordered by an authorized official with the permission of the head of the district court or, in urgent circumstances, followed by court approval within 2x24 hours. Both routes require a criminal offense under process and a relevant connection between the account and the case. Because no public information is available on these elements, the bank's compliance cannot be confirmed and its liability remains conditional. The study recommends that banks verify the formal completeness of every blocking request, notify customers in writing of the grounds for blocking, and that policymakers establish a clear objection mechanism.

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INTRODUCTION

Banks play a strategic role in the national economy as intermediary institutions that collect funds from the public and channel them back in the form of loans and other types of financing (Otoritas Jasa Keuangan, 2026). This intermediation can function only if the public trusts that its funds are safe. Trust is therefore a fundamental element of banking activity, known as the principle of trust (fiduciary relation principle) (Putera, 2020). Under this principle, the relationship between a bank and its customers is understood not merely as a contractual relationship between debtor and creditor (Sefiono, 2025), but also as a relationship of trust that obliges the bank to act in good faith, exercise prudence, maintain confidentiality, and protect the interests of its customers (Sukarini & Juliaastuti, 2021).

A consequence of this principle becomes evident when a bank takes action that restricts customers' access to their funds, one example being account blocking. Account

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blocking is a highly sensitive measure because it directly affects customers' access to, and full rights over, the funds they own. Blocking may therefore be carried out only on a clear legal basis and for reasons consistent with banking regulations (Tektona, 2019).

In the case experienced by a customer of the Aliansi Masyarakat Pati Bersatu (AMPB) on 21 August 2026, the Bank Mandiri account belonging to Supriyono was blocked while he was accompanying residents at a demonstration in front of the House of Representatives (DPR RI) building. The account held IDR 80.9 million, consisting of personal funds and public donations intended for the needs of the demonstration participants (Tempo, 2026). The blocking cut off Supriyono's access to the funds in the account. In response, Bank Mandiri explained that the blocking was a follow-up to a request from law enforcement officers and had been carried out in accordance with the applicable procedures and regulations (Kompas, 2026).

This explanation does not answer the more fundamental legal question of which law enforcement agency requested the blocking and on what basis the request was made. Under Article 140 paragraphs (1) and (2) of Law No. 20 of 2025 concerning the Criminal Procedure Code (KUHAP), blocking may be carried out by law enforcement officers, namely investigators, public prosecutors, or judges, subject to the mandatory permission of the head of the district court. The permission application must describe the criminal offense under process, the basis or facts showing the relevance of the object to be blocked to that offense, and the form and purpose of the blocking. In this case, the law enforcement officers have not explained the reasons for the blocking request, so it remains unclear whether the requirement of permission from the head of the district court has been met (Mediajustitia, 2026).

This lack of clarity raises a legal question: whether Bank Mandiri acted in accordance with Article 140 paragraphs (1) and (2) of the KUHAP and, more broadly, whether its action was consistent with its obligations to customers under the fiduciary relation principle. If a bank carries out a blocking without ensuring the completeness of its legal basis, its action risks neglecting the duties of prudence and good faith inherent in the relationship of trust between bank and customer (Hukum Online, 2026). This study therefore examines the blocking of an AMPB customer's account from the perspective of the fiduciary relation principle.

Several studies have addressed the legal protection of customers in account blocking, particularly in terms of the prudential principle, legal certainty, and consumer protection in the financial services sector. One of them is the study by Ariawan et al. on Decision No. 112/Pdt.G/2022/PN Yyk, which found that Bank Mandiri's blocking was unlawful because it was maintained after the civil dispute underlying it ended in a niet ontvankelijk verklaard (inadmissible) ruling (Ariawan et al., 2026). However, such studies generally start from blockings that arise from civil disputes, with an analytical framework of the prudential principle, finality of payment, and consumer protection. Studies examining account blocking at the request of law enforcement officers within the sphere of criminal procedure remain limited, particularly after the enactment of Law No. 20 of 2025 concerning the KUHAP, which requires permission from the head of the district court. Moreover, the fiduciary relation principle has seldom been used to assess the extent to which a bank is obliged to examine the legal basis of a blocking request before executing it. This condition reveals a gap between the provisions of criminal procedure law, the bank's obligations to its customers, and blocking practices in the field, thereby opening room for legal uncertainty and potential violations of customers' rights.

Given this gap, this study is important because it examines a concrete and current case, namely the blocking of Supriyono's Bank Mandiri account on 21 August 2026, which held IDR 80.9 million in personal funds and public donations for the needs of the demonstration participants. The case shows that blocking affects not only the rights of an individual customer but also funds collected for a common interest. By analyzing the conformity of the bank's action with Article 140 paragraphs (1) and (2) of the KUHAP and with its obligations under the fiduciary relation principle, this study is expected to make a theoretical contribution by linking criminal procedure law and banking law through the principle of trust. Practically, it can serve as a reference for banks in ensuring the completeness of the legal basis, including permission from the head of the district court, before executing a blocking request, and it strengthens customers' position in claiming their rights. This study thus has a dual urgency: promoting legal certainty in account blocking and maintaining public trust in the national banking system.

RESEARCH METHOD

This study adopts a normative legal approach, examining legal principles and doctrines that are prescriptive in nature (Soekanto & Mamudji, 1995). It uses statutory, conceptual, and case approaches. The statutory approach is used to examine the provisions on account blocking, the conceptual approach to elaborate the fiduciary relation principle, and the case approach to analyze the blocking of Supriyono's Bank Mandiri account on 21 August 2026.

The legal materials consist of primary and secondary legal sources. The primary legal sources include Law No. 20 of 2025 concerning the Criminal Procedure Code (KUHAP); Law No. 10 of 1998 concerning Amendments to Law No. 7 of 1992 concerning Banking Law No. 4 of 2023 concerning the Development and Strengthening of the Financial Sector; Law No. 8 of 2010 concerning the Prevention and Eradication of the Crime of Money Laundering; Financial Services Authority Regulation (POJK) No. 5 of 2024 concerning the Determination of Supervisory Status and Handling of Problems of Commercial Banks; and POJK No. 22 of 2023 concerning Consumer and Public Protection in the Financial Services Sector. The secondary legal sources consist of various literature, including journals, books, articles, media reports, and other references that explain the primary legal sources and are relevant to the research topic (Syahrum Muhammad, 2022).

ANALYSIS AND DISCUSSION

Legality of Account Blocking under Statutory Regulations

Under Article 89 letter h of the KUHAP, blocking is classified as a form of coercive measure. Article 1 number 37 of the KUHAP defines blocking as a temporary action to prevent access to, use of, or transfer of assets, including banking transactions, carried out on the order of an investigator, public prosecutor, or judge by way of their formal determination. Because it is a coercive measure, account blocking cannot be regarded as an ordinary administrative action; rather, it is a restriction on customers' rights that must rest on a measurable legal basis (Anggraini et al, 2026).

Article 140 of the KUHAP establishes three layers of restriction. First, paragraph (1) provides that only investigators, public prosecutors, or judges are authorized to order blocking. Second, paragraph (2) provides that blocking must be preceded by permission from the head of the district court. Third, paragraph (3) provides that the permission application must set out a description of the criminal offense under process, the basis or

facts showing the relevance of the blocked object to that offense along with its source of acquisition, and the form and purpose of the blocking for each object. Accordingly, the relevance of the object is the decisive test, because it is from this element that one can assess whether a particular account is indeed connected to a criminal case. Paragraphs (4) and (5) provide that the head of the district court may request additional information from the investigator and must review the application within two days of its submission. Once permission is granted, paragraph (6) provides that the blocking remains in force for one year and may be extended twice, for six months each time.

Article 140 paragraph (7) of the KUHAP also provides an exception for urgent circumstances, namely that blocking may be carried out without prior permission. Paragraph (8) explains that urgent circumstances include the potential transfer of assets, a criminal offense related to electronic information and transactions, a conspiracy in an organized crime, and/or situations based on the investigator's assessment. This exception does not eliminate scrutiny but merely postpones it. Paragraphs (9) to (11) provide that the investigator must request approval from the head of the district court no later than 2x24 hours after the blocking, and that the head of the district court must issue a determination within the same period. Paragraphs (12) and (13) provide that if approval is denied, the blocking must be lifted within three working days at the latest; the same obligation to lift the blocking applies when the case is terminated at the investigation or prosecution stage, or when a pretrial review declares the designation of a suspect invalid. Thus, both blocking with permission and blocking in urgent circumstances require a criminal offense under process and a connection between the object and that offense.

For comparison, blocking is also recognized outside the KUHAP. Under Article 36A paragraph (1) letter c of Law No. 4 of 2023 concerning the Development and Strengthening of the Financial Sector (the P2SK Law), the Financial Services Authority (OJK), in carrying out its supervisory function, may order banks to block certain accounts. The order to block certain accounts is regulated in Article 66 of Financial Services Authority Regulation No. 5 of 2024 concerning the Determination of Supervisory Status and Handling of Problems of Commercial Banks (POJK No. 5/2024) for accounts suspected of receiving or holding funds derived from violations of laws and regulations. In money laundering cases, banks must carry out a written order from an investigator, public prosecutor, or judge that states the identity, the reason for blocking, the alleged or charged criminal offense, and the location of the assets, for a period of 30 working days under Article 71 paragraph (3) of Law No. 8 of 2010 concerning the Prevention and Eradication of the Crime of Money Laundering (Law No. 8 of 2010). This last provision shows a standard of clarity for orders that can serve as a benchmark: the bank receives an order letter with mandatory content so that it can assess the completeness of its legal basis.

With regard to the AMPB case, the blocking of Supriyono's account on 21 August 2026 occurred after the new KUHAP came into force. Bank Mandiri's explanation that the blocking was carried out at the request of law enforcement officers (Serikat Pekerja Kampus, 2026) does not state the institution, the case, or whether there was a court determination. Given the above framework, there are only two possible legal bases: permission from the head of the district court, or blocking in urgent circumstances followed by approval within 2x24 hours. Both still require a criminal offense under process and the account's relevance to it. Without a criminal-offense basis, the blocking would be arbitrary, and the bank would risk violating consumers' right to security and its obligation to safeguard customers' deposits as provided in Article 55 paragraph (1) and Article 92 paragraph (2) letter a of Financial Services Authority Regulation No. 22 of

2023 concerning Consumer and Public Protection in the Financial Services Sector (Hukum Online, 2026).

Bank Liability under the Fiduciary Relation Principle

1. The Bank's Obligations in a Relationship of Trust with Customers

The relationship between a bank and a depositor customer does not end with the deposit agreement (Pakaya et al., 2026). Under the fiduciary relation principle, customers entrust their funds in the belief that the bank will keep, manage, and protect them, so the bank bears the obligation to act in good faith, exercise prudence, maintain confidentiality, and protect customers' interests (Astria et al., 2023). This obligation does not disappear when the bank faces an order from law enforcement officers. In practice, the bank must comply with lawful orders but must also ensure that restrictions on customers' funds have a clear legal basis.

The obligation to comply with orders is indeed affirmed in regulations. In money laundering cases, for example, banks must carry out blocking after receiving a written order stating the identity, the reason for blocking, the alleged or charged criminal offense, and the location of the assets under Article 71 paragraphs (2) and (5) of Law No. 8 of 2010. However, this obligation attaches to orders that meet statutory requirements. A bank is not an institution that assesses the substance of a criminal case, but within the framework of trust it may be required to examine the formal completeness of the request, for example, whether the requesting party is an investigator, public prosecutor, or judge; whether there is a permission or determination from the head of the district court or, in urgent circumstances, proof of a request for approval; whether the criminal offense and the blocked object are stated; and how long the blocking applies.

In the AMPB case, there is no information indicating that Bank Mandiri examined these matters. The bank merely stated that the blocking was carried out at the request of law enforcement officers and in accordance with procedures, without naming the institution, the case, or the determination serving as its basis (BBC, 2026). The assessment of the bank's liability is therefore conditional. If the bank received a complete written order from an authorized party supported by permission or approval from the head of the district court, executing the blocking does not automatically violate the duty of trust, although the bank must still provide an explanation to the customer and lift the block within three working days when its basis lapses, for example when approval is denied or the case is terminated, under Article 140 paragraphs (12) and (13) of the KUHAP. Conversely, if the bank blocks an account without a clear legal basis, its action neglects good faith and prudence and potentially violates consumers' right to security under Article 92 paragraph (2) letter a of POJK No. 22 of 2023, as well as the bank's obligation to safeguard consumers' deposits, funds, or assets under Article 55 paragraph (1) of POJK No. 22 of 2023.

The character of the funds in Supriyono's account reinforces this demand for prudence. The account held personal funds as well as public donations for the needs of the demonstration participants (YLBHI, 2026), so the loss of access harms not only the account holder but also the parties who depend on those funds. The greater the impact of the restriction on the rights of the customer and others, the greater the bank's obligation to ensure that the restriction rests on a clear legal basis (Saputra, 2025).

Accordingly, under the fiduciary relation principle, the bank's liability in this blocking cannot be answered merely by claiming that it followed a request from law enforcement officers. The bank is obliged to show that the request came from an authorized party, satisfied the requirements of Article 140 of the KUHAP, and was carried out transparently and proportionately to the customer's interests.

2. Legal Consequences and Legal Remedies for Customers in Account Blocking

From a civil law perspective, the relationship between a depositor customer and a bank rests on a deposit agreement. Article 1 number 5 of Law No. 10 of 1998 concerning Amendments to Law No. 7 of 1992 concerning Banking defines deposits as funds entrusted by the public to a bank under a deposit agreement, so the relationship is both contractual and fiduciary in nature. One of the bank's principal performances under this agreement is to safeguard the funds and give customers access to withdraw or use them at any time in accordance with the applicable provisions. Blocking an account means that the bank suspends the performance of this obligation.

Where blocking is carried out on the order of an investigator, public prosecutor, or judge who meets the requirements of Article 140 of the KUHAP, namely permission from the head of the district court or subsequent approval in urgent circumstances, a criminal offense under process, and the account's relevance to that offense, the bank is performing an obligation imposed by law. In that situation, the customer's inability to use their funds cannot automatically be called a default by the bank. Conversely, if that legal basis does not exist or is unclear, the bank cannot shelter behind the orders of law enforcement officers. Withholding a customer's funds may be assessed as non-performance of the promised obligation (Hukum Online, 2025), namely making funds available to the customer, and at the same time as a breach of the duty of trust. Thus, breach of contract (wanprestasi) in this context is not an automatic consequence of blocking, but a consequence of blocking that lacks a basis or is not lifted when its basis lapses, as required by Article 140 paragraphs (12) and (13) of the KUHAP.

If the legal basis for the blocking is not proven, customers have several avenues of resolution. First, customers may file a complaint with the bank, because banks must have a handling mechanism and provide a complaint service under Article 68 paragraph (1) and Article 69 paragraph (1) of POJK No. 22 of 2023 and must respond to complaints under Article 77 paragraph (1) of the same regulation. A dispute is itself defined as a disagreement that has gone through the bank's complaint resolution process under Article 1 number 12 of POJK No. 22 of 2023. Second, if no agreement is reached on the outcome of the complaint handling, customers may report the matter to the OJK as the banking supervisor, or submit the dispute to an Alternative Dispute Resolution Institution for the Financial Services Sector (LAPS SJK) approved by the OJK, or to a court, under Article 82 paragraph (1), including through a lawsuit for breach of contract or an unlawful act against the bank. In a claim for damages based on an unlawful act, the burden of proving the presence of fault rests on the bank under Article 82 paragraph (4), while the bank has the right to defend itself and present evidence under Article 82 paragraphs (2) and (3). In addition, because the party that requested the blocking is a law enforcement officer who must obtain permission or approval from the head of the district court under Article 140 of the KUHAP, responsibility for the validity of this coercive measure does not automatically lie with the bank alone.

Provisions outside the KUHAP also need to be considered. Blocking in special criminal cases on the basis of money laundering prevention by the Financial Transaction Reports and Analysis Centre (PPATK) is regulated in Article 71 of Law No. 8 of 2010 and has its own procedures and time limits. In the AMPB case, there is no information that the PPATK was involved, and Bank Mandiri referred only to law enforcement officers. Because this study focuses on the KUHAP, the PPATK route is used as a comparison showing that every blocking route requires a clear basis and procedure.

CONCLUSION

Account blocking is a coercive measure that is lawful only if it satisfies Article 140 of the KUHAP, namely that it is ordered by an investigator, public prosecutor, or judge with permission from the head of the district court or, in urgent circumstances, followed by approval within 2x24 hours. Both routes require a criminal offense under process and the account's relevance to that offense. In the AMPB case, Bank Mandiri has not identified the requesting institution, the case, or any court determination, so the conformity of the blocking of Supriyono's account with Article 140 of the KUHAP cannot yet be confirmed.

Under the fiduciary relation principle, a bank must comply with lawful orders but must also ensure that restrictions on customers' funds have a clear legal basis. Examining the formal completeness of a blocking request is a consequence of the duties of good faith and prudence. The bank's liability is conditional: executing a complete and lawful order does not violate the duty of trust, whereas blocking without a clear legal basis may imply breach of contract and a violation of POJK No. 22 of 2023. Customers may pursue a complaint to the bank, a complaint to the OJK, resolution through an alternative dispute resolution institution, or a lawsuit in court.

This study recommends that banks establish internal procedures to examine the formal completeness of every blocking request, namely the requesting party's authority, the permission or proof of a request for approval, the description of the criminal offense, the object, and the time period, before executing it. Banks should also notify customers in writing of the grounds for blocking, to the extent that this does not interfere with the criminal process, and lift the block within three working days when its basis lapses. Policymakers need to establish a clear objection mechanism so that customers can challenge a blocking efficiently.

AUTHOR CONTRIBUTION

AE contributed to the conceptualization of the research, the formulation of the problem and research gap, the development of the methodology, and the analysis of the legality of account blocking under Article 140 of the KUHAP. MM was responsible for collecting and reviewing the primary and secondary legal materials, analyzing the bank's liability under the fiduciary relation principle, drafting the conclusion and recommendations, and the final editing of the manuscript. Both authors have read and approved the final manuscript.

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