

CASE REPORT

Stripped of Dignity and Murdered: A case report

Talukdar R,¹ Ropmay AD,² Patowary AJ,³ Slong D.⁴

Academic Resident,¹ Additional Professor,² Professor and Head,³ Associate Professor.⁴

1-4. Department of Forensic Medicine, NEIGRIHMS, Shillong.

Abstract:

India has shown utter disregard and disrespect for women - rape, marital rape, sexual assault, harassment, female infanticide and dowry death are the best examples to cite this. These issues have been on debate for years after years with no definite result. Nearly 31,000 complaints of crimes committed against women were received by the National Commission for Women (NCW) in 2022, the highest since 2014. This is a case of an unidentified woman of about 24 years approx. who was found dead in the Jungles, Shillong. She was referred for post mortem examination to the department of Forensic Medicine in a tertiary hospital in North-East India. Autopsy findings revealed abrasions and bruises on the head and neck region with a ligature mark on the front and right side of neck. Internal organs were congested. Uterus and ovaries showed contusions. Fresh hymenal and perineal tear seen. There was evidence of spermatozoa in vaginal smear on microscopic examination. Assault against women is related with harmful health consequences and is regarded as a major public health problem. It is also a barrier for sustainable development goal of women on gender equality empowerment. The women facing brutality are more likely to view health workers as trustworthy for disclosure of abuse, hence it should be properly structured.

Keywords: Assault against women; Rape; Murder.

Introduction:

India is the land where the feminine entity is being worshiped since ages in different forms and shapes, yet it is the same land where the violence against women is a major concern. Women irrespective of age, class, caste, education status, marital status, race and culture are still facing physical, sexual, emotional, psychological and economic abuse which is a barrier for women to acquire a sustainable development goal on gender equality and women's empowerment. This paper reports a case of murder involving rape. The word rape is derived from the Latin word "rapio" which means to snatch or, seize. The definition is different in different countries. In western countries a person of either sex can commit rape, whereas in India, legally only male can rape a female. Charlemagne, the Roman emperor (742-814 AD), first introduce medical evidence in case of rape. The issues of violence against women have been on debate for years after years, with no definite results. Even the stringent punishments introduced by "CLAA" could not change the stereotypic mindset of the mass. As per NCRB data, India lodges average 86 rape cases every day. Number of reported cases in 2020 were 28,046 and in 2021 were 31,677. Nearly "31,000 complaints of crimes committed against women were received by the National Commission for Women" (NCW) in 2022, "the highest since 2014". Some of the tertiary hospitals in NE receive nearly 1200 cases of sexual abuse per annum that reveals the burden of it on

health sector.

Case Report:

An unidentified woman of about 24 years was found dead in the jungles, around Shillong in October 2022 in the evening time. The body was found in half naked condition with only a floral top on. She was sent for conducting post mortem examination to the tertiary hospital of the area by the concerned Police Station. She was of average built having weight 45 kg and length 152 cm. Autopsy findings revealed crescentic abrasions on the lower border of right jaw, and on the right side of neck, 4cm below chin. Bruises were appreciated on the right side of chin along the lower border of jaw. Bruising over right eyelid with subconjunctival haemorrhage of both eyes was observed. Insect bite marks were found on the lower abdomen and thighs which were yellowish in colour and parchmented. A dark brown ligature mark measuring 22cm in length and 0.6cm in width was seen in the front and right side of the neck that was transversely placed at a distance of 6cm below chin, 10cm above suprasternal notch. On dissection, bruising of neck muscles and subcutaneous tissues was observed which was more on the right side. Hyoid bone and thyroid cartilage were found to be intact. A religious string (Tabiz) was recovered near the body by the police, breadth of which is approximately equal to that of the ligature mark. This might have been used as ligature which could be either of the assailant or of the victim. Sub scalp and subdural hematoma seen on fronto-parietal area on both sides. Uterus and both ovaries showed patchy reddish and contused areas. Genital examination showed fresh tears in the hymen in 3 and 6 o'clock position which is mucosa deep with reddish margins. Perineal tear of skin deep situated 4mm in front of anal orifice noticed. Vaginal swabs collected and send for microscopic examination reveals presence of spermatozoa in vaginal smear. Histopathological examination

Corresponding Author

Dr. Reshma Talukdar

Email : reshma_rks@yahoo.co.in

Mobile No.: +91 7896810730

Article History

DOR : 06.09.2023; DOA : 02.02.2024

of uterus revealed presence of haemorrhagic areas and congestion with no evidence of pregnancy. Cause of death was given as death due to asphyxia resulting from ligature strangulation, homicidal in nature with evidence of recent sexual intercourse. Injuries sustained on the body were found to be antemortem in nature.

Discussion:

The case scenario is highly suggestive of brutality, violence and sexual abuse. Rape is a legal term, whereby the allegations need to be proved by evidence and facts. Sadly, the victim in this case isn't alive to put forward the facts, and hence the DNA from the accused can't be derived to come to a confirmatory conclusion. She came to the world with beautiful dreams but left the world as "unknown" in agony and pain. Rape is associated with harmful health consequences and is a major public health concern, like any other disease. It is silently prevailing in the society and is responsible for physical and phycological ill health of the

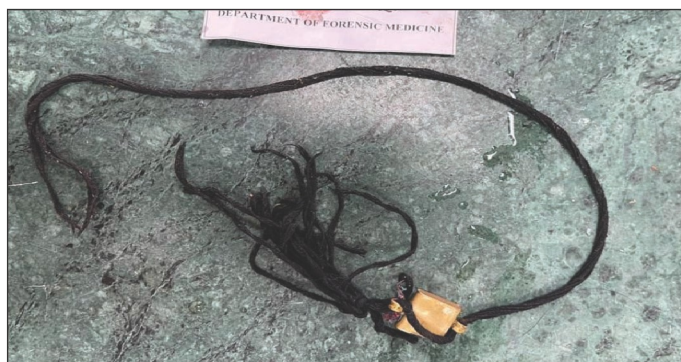


Figure 3. Religious string (tabiz).



Figure 4. Bruising of neck muscles and subcutaneous tissues on the right side of neck.



Figure 1. Crescentic abrasions on the lower border of right jaw and on right side of neck.



Figure 5. Fresh tears in the hymen.



Figure 2. Dark brown ligature mark on the right side of neck.

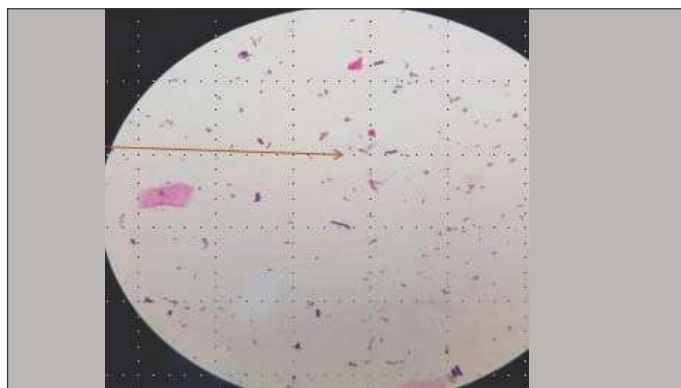


Figure 6. Spermatozoa in vaginal smear on microscopic examination.

survivor. "Researchers have distinguished the perpetrators of rape as sexual offenders and sexual killers".¹ Karakasi MV et al. have mentioned in their studies that "most offenders were in late 20's-30's". They are "non-psychotic at time of attack", however "the most notable characteristics seen in sexual killers is the lifelong social isolation". They also mentioned that "27.1% were in living in relationship" and these incidents include intense violence.¹ Meloy JR mentioned that "sexual behaviour may occur

prior to, during or after the homicide”². Chan HCO have mentioned that “strangulation is the most common method of committing the homicidal act” in sexual offenders.³ Grubin D conducted a study on 21 sexual murders and 121 men who only committed rape without attempting murder and he came to the conclusion that the most common factor responsible is “lifelong isolation and lack of heterosexual relationship amongst the sexual murderers”⁴. Rape in India is covered under IPC 1860 which had little changes since the British colonial era. It was only after Nirbhaya case 2012, the Criminal Law Amendment Act 2013 came into enforcement that widened the scope and definition of rape. The punishments were made more stringent yet with little impact and no definite results. The Supreme Court of India has termed examination of a rape survivor as a “medicolegal emergency”⁵. In spite of all the acts and laws, “rape is the fourth most common crime against women in India” as per NCRB data.⁶ Memchoubi Ph et al have mentioned in their studies the incidence to be relatively high and “self-consumption of poison is the main cause of death” that isn't depicted in other studies.⁷ Women encountering assault, more likely look upon health workers as trustworthy for disclosure of abuse, therefore the health system should ever be ready to support these women without being bias. In this context 'One Stop Centre' (OSC) have emerged over the years years that provide services in mental health, emergency department and primary care services to abused women since they are vulnerable, unsafe, and deprived of agency, which is a welcoming step.

Conclusion:

Rape is a heinous crime. The demand for equality by women creates insecurity in a patriarchal society. Only when the stereotype mindset of society is changed, maybe we can hope for a safe India for its women.

Conflict of interest: None to declare.

Source of funding: None to declare.

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