

Crime Concealed As Drowning

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Abstract

Drowning is a type of violent asphyxial death. Deaths due to drowning are usually suicidal and accidental in manner, but homicidal drowning is not uncommon. But it is very difficult for autopsy surgeon to give cause of death when deceased found dead in water with ligature mark on the neck and other injuries on the body. A dead body of an unknown male, aged around 35-40 years was brought to mortuary of BLDE hospital Vijaypur for medico-legal post mortem examination with alleged history of accidental drowning. The case was registered u/s 174(C) CrPc. Post mortem examination revealed cause of death as head injury sustained by blunt trauma. The ligature mark present on the neck was opined as postmortem in nature. The viscera preserved revealed alcohol. Manner of death was opined as homicidal in nature.

Keywords; Drowning; Ligature mark; Postmortem examination; Homicidal.

Introduction

Drowning is a form of asphyxia due to aspiration of fluid into air passages caused by submersion in water or other fluid.¹ The medico legal question likely to arise in a case of drowning is whether the death was due to drowning or the body was thrown in to the water after death.³ Accidental drowning is more common amongst non swimmers, children, drunkards, epileptics and persons suffering with underlying pathology. Committing the crime and concealing it by the perpetrators by masking

the evidence is not new in forensic practice. The perpetrators of the crime try their level best to plant the new evidence to evade inquiry and punishment. A murdered victim may have been thrown in water to conceal the crime and to go scot free. Throwing the body in water after having committed murder by other means is frequently encountered by investigating officers. Absence of 'prima-facie evidence' may mislead the investigating officer. Collecting the masked evidence by the investigating officer and autopsy surgeon is a challenging job to fix the offender of the crime. Meticulous post mortem examination and necessary investigations help to give appropriate cause and manner of death.

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Case Report

Unknown male, aged around 35-40 years found dead in a water pond of a farm house was brought for autopsy. Two wheeler was found near the pond with beer bottle lying near the vehicle. The police have registered the case u/s 174(C) CrPc. Preliminary information given by the police is accidentally drowned to death under the influence of alcohol. The whole body was stained with mud. The body was turned to green at some places

indicating onset of decomposition. On examination fair complexioned well-nourished and well-built adult male, whose length was measuring 168 cm. Dried bloody discharge was found at both nostrils. Soddening, bleaching and wrinkling of sole and palm were seen (Fig. 1). Face was congested. No signs of struggle were present. The front of neck showed ligature marks (Fig. 2). The ligature mark was present only on left side of neck (Fig. 3) and was deficient on right side of neck (Fig. 4). It was running obliquely upwards. Chain present in the neck was corresponding to ligature mark (Fig. 5). The ligature mark was at the level of thyroid cartilage with the pattern of metallic chain. Length

of ligature mark was 14 cm. No echymosis and abrasions were seen along the edges of ligature mark. The subcutaneous tissue, neck muscles, laryngeal cartilages, thyroid cartilage, tracheal rings and carotid arteries were not injured (Fig. 6). Lungs were showing no signs of drowning, normal in weight but were congested. All other vital organs were congested. Contusion of scalp was seen at the occipital region measuring 8 × 6 cm (Fig. 7). Patchy subarachnoid hemorrhages at the both parietal lobes were witnessed (Fig. 8). Viscera preserved for chemical analysis revealed the alcohol. The cause of death was opined as head injury sustained by blunt trauma.



Fig. 1:



Fig. 2:



Fig. 3:



Fig. 4:



Fig. 5:



Fig. 6:



Fig. 7:



Fig. 8:

Discussion

The crime may be concealed by burning the dead body, run over by heavy vehicle, dropping from height, burying in the soil, throwing in water. In this case the body was thrown in water after having killed by other means. The absence of ante mortem signs of drowning and presence of injuries over neck and head helped us to opine the cause of death as homicidal in nature. Visit to crime scene may help the autopsy surgeon to come to the conclusion. Homicides may be staged or vital evidence removed or tampered with, if the aim is to disguise it as an accident. Medical evidence can assist when attempting to establish the intent of the accused at the time of assault.² Failure to collect necessary evidence by investigating officer and autopsy surgeon may lead to injustice. Evidence of certain typical findings such as head injury and intoxicating drugs in the stomach of the deceased will suggest homicide, even in absence of signs of struggle.³ Presence or absence of a ligature mark alone does not help us to reach at the conclusion. Besides any beaded threads and ornaments worn round the neck may produce depressed marks.⁴ The ligature mark in the present case is post mortem in nature which must have been produced by body being dragged with chain available in the neck. That's why the ligature mark is oblique and deficient on right side of neck. Soddening,

bleaching and wrinkling indicate that body was laying in water for longer period of time. It does not conclude as to antemortem or post mortem.

Conclusion

Assailants are very keen to conceal crime by different methods. So there may be wrong interpretation by inexperienced autopsy surgeons and hence it may lead to injustice. So it is important that our keen observation and opinion should be conclusive for the administration of justice.⁵

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