

Forensic Investigation of a Rape, Sodomy and Murder Case



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Abstract

There is alarming increase of different sexual offence cases in the world and India is not exception to it. The sexual assault with rape, sodomy and murder together is comparatively less and rarely reported. The statistics under such crime head is not available in literature and research studies, but presently, such type of crime is very often reported for various reasons. In one case, a 16-year-old minor girl regularly used to attend private coaching class near her village. One day, after coaching class was over, as usual the girl did not return home and search was made till late night. It was clueless about her where about. Subsequently, an FIR was lodged in the local police station. On the following day, a half-naked female dead body was reported lying in the nearby jungle. The dead body was identified to be the same missing girl by the relatives. The forensic team and investigating officer jointly visited the undisturbed crime scene to collect various incriminating physical evidence for forensic analysis. Moreover, in this case rape and sodomy followed with strangulation of the rape victim girl is the rarest of such rare cases and criminal profile has been discussed suggesting psychological and psychiatric analysis of the sexual offender in such heinous crime.

Keywords: Rape and murder; FIR (First Information Report); Physical evidence; Profile of the criminal; Forensic evaluation; Postmortem report; Psychiatric analysis

Abbreviations: FIR: First Information Report; SAECK: Sexual Assault Evidence Collection Kit; POCSO: Protection of Children from Sexual Offence

Introduction

All over the world in all life situations, women are more vulnerable than man in public and private life [1-3]. Considering the different violence like rape, rape-homicide, forced prostitution, femicide etc. several initiatives are implemented, and stringent law enforced relating to women safety [4]. Presently, it has become a national mission.

As per National Crime Records Bureau (NCRB), MHA, Govt. of India report of the year 2011, it is known that every 20 minutes, a woman is raped in India [5]. It is really alarming figure, but the conviction in the crime against women in India is reported to be 18.9% in the year 2015 as per report of the Indian Express [6]. The conviction rate is also low for various reasons:

- 1) lack of quality investigation,
- 2) man dominated society,
- 3) potentiality of women not taken cognizance,
- 4) non-availability of potential witnesses,
- 5) social factors, etc.

In order to investigate rape and murder cases, the investigative and forensic team need to analyze the undisturbed

crime scene soon after the incident and collect evidence on the following issues to link between victim, crime scene and potential suspect for successful investigation [4,7,8].

These are:

- a) Proper evaluation and timely crime scene management
- b) Photograph/sketch of crime scene/record injury on body and private parts
- c) Collection of cell phone of victim/suspect to analyze call records
- d) Type of strangulating materials like rope, wire, dupatta, long cloth etc. used
- e) Strangulation mark on the victim's neck to be recorded with scaled photograph
- f) Observation/record on post strangulation symptoms on rape victim
- g) Collection of biological evidence (vaginal/anal/oral swab) by registered medical officer using sexual assault evidence collection kit (SAECK)

- h) Condom used during the assault be collected, if present, and be swabbed separately from inner/outer surface
 - i) Wearing apparel of the victim and their condition
 - j) Autopsy of the victim by a team of medico legal experts
 - k) Footwear position of the victim/suspect on the crime spot
 - l) Foot/shoe print on the spot for examination and comparison
 - m) Soil/pollen on the body/or wearing apparel along with control soil
 - n) Family history of the victim and other details to help investigation
 - o) Post analysis of violent crime scene and criminal profile
 - p) Blood stained soil/and control soil
 - q) Sign of dragging on the crime spot
 - r) Public hair of the rape victim/suspect on the spot/garments
 - s) Nail clippings of the rape victim for examination of blood/skin/tissue
 - t) Viscera/urine of the victim for rape-drug analysis
 - u) Different biological samples, hair and wearing appeal of the suspect for examination/matching
- 2) The undergarment along with pant lying together appears to be pulled out forcibly
 - 3) There was bleeding from the vaginal and anal orifices; soil beneath the dead body was stained with blood; there was sign of stool passing out of the anus
 - 4) Presence of multiple contusion, abrasion and laceration wounds on different parts of the body showing mud stain on both the knees
 - 5) Face was congested; both eyes were closed; lips were swollen
 - 6) A pair of footwear found lying apart on the spot
 - 7) Vaginal/anal/oral swabs preserved for forensic analysis to match with the suspect
 - 8) Some overlapping footprints were present on the ground moistened with rainwater, but not suitable for examination/comparison
 - 9) The crime scene was devoid of scuffling mark suggesting she was overpowered by more than one suspect

Case Report

A 16-year schoolgirl was staying with her parents in a village. In order to improve her academic performance, she used to attend coaching class being taught by a teacher staying very near to her village. One day, after the coaching class was over, as usual she did not return home and search was made till late night. It was clueless about her where about. Subsequently, a FIR was lodged in the nearby police station. On following day, a half-naked female dead body was reported lying in a nearby jungle tied with a dupatta around her neck. The dead body was identified to be same missing girl by her family members. The injuries on the private part including anus and strangulation with her dupatta (long cloth) and postmortem symptoms of strangulation suggested the case to be a typical sexual homicide.

Observation

The position/injuries of the deceased in this incident of rape-murder and ligature material used are shown in Figures 1-6.

Forensic evidence at crime scene

The clues found at crime scene are:

- 1) The deceased was lying in half-naked position in an isolated place being tied with a dupatta (long cloth) around her neck



Figure 1: Half-naked rape victim lying on the spot.



Figure 2: Victim with bleeding injuries, swollen lips and congested face.



Figure 3: Underwear/long pant and a pair of footwear lying 2 meters away from the deceased.



Figure 4: Underwear and pant showing forcibly pulled out together.



Figure 5: Bleeding from private parts.



Figure 6: Ligature material (dupatta): wearing apparel of rape victim used for strangulation.

Autopsy findings

External: The deceased is about 16-year-old female, 157 cm in height, 47 kg in weight of average built. One pink color scarf/dupatta is tied around the neck having three terns, the inner most tern having one fixed knot on right side of the neck. Both eyes of the deceased are closed; mouth is partially open; tongue is bitten; fingernail beds are cyanosed. Face is congested; blood stains are present on forehead, nose, both lips and perineum. There is loss of elasticity and dilation of anal orifice; fecal matter is present around the anus. One dry, hard, brownish ligature mark is present encircling the neck, prominent on front side at the level of thyroid cartilage.

Injuries: One split laceration of size 1.3x0.5cm of bone depth on the left side of the head, one abrasion of size 1.2x0.6cm over the forehead in the midline of head, one contusion of size 1.3x0.4cm over the upper left eyelid, two contusions of size 2.0x1.7cm and 3.1x1.3cm over the right and left sides of the upper lip respectively, one contusion of size 4.0x3.2cm over the left side of lower lip, two contusions of size 1.7x1.5cm and 4.0x2.5cm over the right and left cheek respectively are present.

Internal: On dissection, subcutaneous tissue underlying the ligature mark is found ecchymosed with muscle contusion. Hyoid bone, thyroid cartilage, laryngeal and tracheal cartilages are found intact. Depressed fracture of size 4.0x1.0cm is present over the left side of the frontal bone. Two contusions of size 10x8cm and 3.0x1.5 cm is present over the upper chest and outer aspect of right forearm respectively. Both the lungs, liver, gall bladder, biliary passages, spleen, both kidneys, ureters are found congested. Uterine cavity is found empty; multiple contusions are present on the inner border of labia minora with fresh tear of hymen. No abnormality was detected in other organs of the body.

Results of autopsy study

The cause of death is asphyxia as a result of smothering and ligature strangulation which is homicidal in nature. The injuries

present on the body are ante-mortem in nature and fresh in duration at the time of death. There are signs suggestive of recent, forceful vaginal and anal penetration.

Forensic evidence

- I. The toxicological analysis of viscera and body fluid ruled out the presence of poison and drug in this case
- II. DNA profile of the vaginal swab under examination to record the data for matching with accused after apprehended

Conclusion

The post analysis of crime scene, multiple injuries on the victim and private parts (vagina/anus) and unnatural sex (sodomy) on rape victim followed with murder, is heinous in nature and the rarest of such rare cases reported. It is unbelievable to perceive under what situation the rapist after sexual gratification could kill the loving minor girl. Possibly at the fit of anger, cruelty overpowered love and also fear of stringent punishment prescribed under Indian Penal Code and POCSO (Protection of Children from Sexual Offence) Act. Further, the accused feared of being identified by the victim if left alive. The modus operandi of crime is suggested to be sudden emotional distress and violent feeling of the accused persons resulting in murder with readily available strangulating material (dupatta)

of the victim girl. However, in such case the accused are required psychiatric analysis to know more about their criminal behavior.

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