

Unusual Mode of the Disposal of Dead: 2 Case Reports

Vijay Pal Khanagwal^{1*}, Pawan Mittal², Kunal Khanna², Ruchir Sharma³, Vinod Kumar³

¹Professor, ²Demonstrator, ³Resident, Department of Forensic Medicine, Pt. B. D. Sharma PGIMS, Rohtak, Pt. B. D. Sharma University of Health Sciences, Rohtak, Haryana, India

*Corresponding Author:

Name: Dr. Vijay Pal Khanagwal

Email: drvijaykhanagwal@yahoo.co.in

Abstract: There are different means of disposal of the dead in our country (India). Depending upon the religion, the dead bodies are cremated, buried or submersed in the Holy Rivers. Criminals prefer to dispose of the bodies in order to conceal their crime e.g. throwing the bodies in isolated/ abandoned places, jungles, canals or wells etc. They may try to efface or obliterate the identity of the deceased by different methods like removal of the identifying features, burning, dismemberment and burying or throwing different body parts at different places. All this would lead to failure in detection of crime. Two cases in which the authors found unusual mode of the disposal of the dead are presented here in this manuscript.

Keywords: Trunk murder, Disposal of the dead, Corpus delicti, Throttling, Smothering, Gagging.

INTRODUCTION

There are different means of disposal of the dead in our country. Depending upon the religion, the dead bodies are cremated, buried or submersed in the Holy Rivers. Amongst Hindus and Sikhs, except for young children under one year of age who may be buried, the customary mode of disposal of a dead body amongst Hindus is by cremation [1], where upon the ashes are immersed in the Holy Rivers. According to Islamic and Christians religious traditions, the prescribed mode of disposal of the body is burial [2]. These days, a few bodies are also donated to educational medical institutes for academic/research purposes.

The criminals may use a number of methods to obliterate the identity of the deceased and may dispose of the bodies of their victims to conceal their crime. The methods of such disposal of the bodies of victims may reflect the criminal psychology of the perpetrator or any mental disorder viz. Schizophrenia possessed by them. The commonly employed methods include disposing off the bodies of the victims in jungles, throwing them in canals, deep burial, dismemberment [1], setting the bodies to fire [2] and the long list goes on. Besides these, some unusual methods of disposing off the body have been cited in literature. One of the most known of such methods was acid bath murder case of John George Haigh who used concentrated sulphuric acid to dissolve the bodies of the victims as a method of disposal and concealment of the crime [3].

Trunk murder originated after a number of highlighted murders that occurred in past where the murderer, after killing the victim used to dismember the body and after putting them into trunk(s) adopted a number of ways to conceal the recovery and identification of the body. The first such case dates back to 1831 where the perpetrator murdered his wife and then transported her body in a trunk on a wheelbarrow in a park and buried the remains (1831 Brighton Trunk Murder). Similar cases of Brighton trunk murders that highlighted two unrelated murders occurred in Brighton, London in 1934. In both these cases, the dismembered body of a murdered woman was kept in trunks. The body parts were subsequently recovered on two different railway stations. After that a few similar cases came to light among which the case of Violette Kaye and Toni Mancini came to attention after recovery of the body parts of the victim lady Violette Kaye inside a trunk that was kept in the room of the perpetrator Toni Mancini, her fiancée. The murder was committed even before the Brighton trunk murders case [4]. Two similar cases were confronted by the authors where the bodies of two victims were disposed off in trunks that were recovered from two different trains. The cases are detailed and discussed in the light of important issues regarding jurisdiction of investigation and identification dilemma in such cases.

In most of the countries, when life is taken deliberately, the person is charged with murder and to prevent this charge and conceal identification of the victim, criminals often hide it in a trunk, chest, large

suitcase, box or places it in a sack or covered with a blanket, clothing or a tarpaulin after cutting up the body, which makes transportation of body easier which is often termed a trunk murder [3].

The examination of the scene of death/place of recovery of the body is of vital significance in all such cases. Almost all over India, the examination of the scene of crime is conducted by the Investigating agency; however, it involves a delicate procedure so it must be entrusted to a professional from the start. Usually, the body is found at a place, different from the actual place of the crime which is with the aim of obliterating the identity of the victim and thus causing identification of the unknown body troublesome or impossible. If the murdered person is unidentified, success to seek the scene of the crime depends on the ability to work out the source of the containers or covering around the body or parts of the body. The primary step is to work out if labels, stamps or writing may throw some light on their origin [3]. A helpful guide in finding out the actual scene of the death could be the material used to cover the body or parts of the body. Dirt or mud present over or within the coverings may indicate that the place of hiding the dead body. After laboratory professional has completed the examination, development media ought to be used for looking for fingerprints. The likelihood that the fingerprints of the accused being found on the coverings, blanket, clothing or a tarpaulin in which the

body is placed to forestall blood or odour from revealing the contents is quite high [3].

Here we are going to discuss two cases where bodies were found in trains far away from original scene of the crime, making difficult to efface or obliterate the identity of the deceased thus helping criminal to conceal their crime.

CASE REPORT

Case 1

There was discovery of the dead body inside a 'gathari' kept over an inter-locking & buffers of train connecting two bogies on Goods train which had started from Howrah coming to Rohtak (connecting East & North regions of our country) covering about 2000 KM, passing across the 5 States of India i.e. (West-Bengal, Bihar, Uttar Pradesh, Delhi, Haryana). When it reached Rohtak, a passerby person noticed foul smell coming from a 'gathari' kept over an inter-locking and buffers of train connecting two bogies. The body then brought to the Department of Forensic Medicine for autopsy. The dead body was found out to be of a young adult male individual in the advanced stage of putrefaction, the cause of death was found to be throttling and the probable time that elapsed between death and autopsy was opined to be between 36 to 48 hours. Femur and a 3rd molar tooth were preserved for DNA profile.



Fig. 1 & 2: 'Gathari' kept over an inter-locking & buffers of train connecting two bogies and the body after removing from the inter-locking & buffers of train.

Case 2

There was discovery of the dead body from the metallic box (trunk) kept inside the coach of an Express train 'Jan-seva Express' rain, running between Saharasa (Bihar) to Amritsar (Punjab) passing across the States of Bihar, Uttar Pradesh, Delhi, Haryana and Punjab, covering 1534 kilometers in 34 hours. When it reached Ambala, the passers-by people noticed trickled blood and secretion on the floor near a metallic box which was due to escaping of fluids from natural orifices other parts of body due to pressure of the gases within the body. The passerby persons informed the police about the trunk and trickled blood from it on the floor of the coach of train. On opening the trunk, the Police

recovered body of a male individual from it which was brought to the department of Forensic Medicine for autopsy. The apparent cause of death (as per Inquest Report) was "probably the person was closed in the box after being intoxicated" i.e. "Shayadnashameinkarkebaksameinbandhkiyaha". On examination of body, multiple reddish contusions of size varying from 0.5×0.5 to 1×0.8 cm on the face, over an area 10×8 cm around the mouth chiefly involving the tip of nose, both lips and cheeks around the angles of mouth were noticed. A rolled-up piece of cloth (handkerchief) was taken out from the mouth on moderate traction as it was found to be forcibly thrust inside the oral cavity over the tongue. All the structures

(tissues) in the oral cavity were contused. On autopsy, the body was of a young adult male, at the moderate stage of decomposition, cause of death was suffocation due to smothering and gagging, however, the viscera were preserved for chemical analysis for detection of

any poisonous substance including stupefying agent/intoxicant. Probable time between death and autopsy was 36- 48 hours. Femur and one of the 3rd molar teeth were preserved for DNA profile.



Fig. 3, 4 and 5: The body found to be kept in a trunk placed in train as one of the belongings kept by the commuter (Photo courtesy: Hindi daily ‘DainikJaagran’ Panipat, the 28th March, 2012: page no. 18)

As you can see cause of death were found in both of cases, but police could not identify the deceased because body travelled across many states which made getting information of missing people difficult and lack of DNA , Finger print database in India

DISCUSSION

Trunk murder is the term that is commonly used in circumstances where the criminal, after committing murder, tends to conceal the crime by placing the corpus of victim in a confined movable object like trunk, suitcase or a similar object. The offence is commonly preceded by the some intentional acts to destroy the identity and to alter facts of crime; the method most commonly employed is dismembering (cutting) the body into small parts [5]. Frequently the act is followed by disposing off the container having the dead body to some far unusual areas although cases are on reports where the bodies were recovered inside the perpetrator’s or victim’s own home or at a nearby place.

Disposing off the dismembered body in such unusual way like the train in the present cases

highlights the well planned and successful means of concealing the crime. Such a method will destruct almost complete evidence of crime as it will destroy the first and foremost objective for tracing a crime which is recovery and identification of the body. The other facts of crime may be queried only after identification of the corpus, the whole constituting *corpus delicti* [6]. The main problems in solving such blind murders remain:-

- What would be the Jurisdiction of the deceased?
- Police of which State would conduct the inquest?
- How to establish the identity of such victims?

In India, the Government Railway Police (GRP) are generally responsible for the prevention and detection of crime on railways [7]. The Railway Police starts the investigation if a dead body is recovered under suspicious circumstances under the jurisdiction of railway. An inquest is conducted by the investigating officer and the dead body along with the inquest papers is then brought to the forensic expert for autopsy [8]. The information is given to the local police stations

depending upon the circumstances of the case like the various concerned Railway Police Stations across various states in the instant case. Help of various other investigative agencies like Crime Branch Investigation (CBI) is often required. Depending upon the postmortem interval, as provided by the forensic expert, the list of missing people within or shortly before such period is enquired by various police stations and consequently the investigation takes its first start in search of evidence which is never too easy.

Thus, establishment of identity of the deceased, cause and manner of death are the main medico-legal questions in such cases. In both the above cases, the cause of death could be established after autopsy; however, identity of the bodies could not be established. Establishment of identity of the bodies was a major problem before the Investigating agency as the bodies had travelled across many states. So the primary goal of any medico-legal inquiry in the case of an unidentified individual is identification of the dead body. By the start of the 21st century, fingerprints have been used as a very effective means of establishing identity of the individual. Nowadays, fingerprints stored in automated systems are matched and compared with latent fingerprints found at crime scenes. The entire database can be searched out in minutes which would have taken weeks and months in the past if have done manually [9]. But this system can be used in present time as we have fingerprint bank in India. Aadhar Card issued by Unique Identification Authority of India in which finger-prints of the individual is taken can be used for this purpose. Secondly, use of DNA (deoxyribonucleic acid) analysis in the identification of individuals has become an important tool [9]. Using the PCR technique, identification is possible from the body remains of missing persons if the parents or children are available. However, at present in India, no DNA bank exists for the population so fingerprints for identification remains the method of choice.

CONCLUSION

A number of crimes go unsolved every year in almost every country. A number of reasons may be speculated to account for this like the poor/inappropriate approach by the investigating

agencies and/or protocols, lack of database and updated technologies etc. In the forensic context, identification of the deceased is of prime importance to solve the murder mystery and is the first and foremost key to unlock the dilemma of investigation. Rests of the questions are answered sooner or later once the identity of the deceased is established. For that purpose it is also required that each country must have the most advanced and graded systems of investigation whether these pertain to latest DNA profiling technologies or fingerprint data banking. Each and every trace evidence, either whole or in part, carried by the corpse along with it do tell tales, all needed is to observe it and to interpret it intelligently.

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