

# A Case of Violent Homicidal Strangulation

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**Abstract:** *Covering up evidence to conceal a crime is common occurrence. When body of middle aged man was brought for autopsy, the wife of the deceased informed that he died of heart attack. But when the body was brought for cremation the relatives got suspicion due to injuries present over the neck. Case which was initially investigated as 174 CRPC was altered to 302, 201IPC based on autopsy findings and confession of wife.*

**Keywords:** Strangulation, Homicide, Evidence, Section 201 IPC, Autopsy

## 1. Introduction

- 1) Strangulation is a form of violent asphyxia caused by constricting the neck by some means other than the weight of the body.
- 2) Types of strangulation:
  - a) Ligature strangulation - The pressure on the neck is applied by a ligature or constricting band that is tightened by force.
  - b) Manual strangulation - Asphyxia produced by compression of neck manually
  - c) Banskola - Strong bamboo or stick is put in front of neck and another one at the back of neck; both the ends are tied and squeezed.
  - d) Garroting - In this victim is attacked from behind without warning, throat may be either grasped by hand or a ligature which is quickly tightened by twisting it with lever.
  - e) Mugging - Strangulation caused by holding the neck of the victim in the bend of elbow.
  - f) Strangulation is often a homicide; it may occasionally be accident or suicide. Differentiation of origin of strangulation requires a detailed examination of scene, and during autopsy, findings present on the neck of victim and the underlying neck structures in a bloodless field should be carefully examined in order to differentiate it from hanging.

## 2. Case

When police received a complaint from 16 year old boy stating that he is residing along with his grandmother and his parents live in a town which is around 60 kilometers away from his residence. On 18.07.2021 around 9: 00 pm he received a call from his father who enquired about his well being and had a casual talk. Later around 12: 50 am on 19.07.2021 his mother called over the phone and informed that his father had heart attack and he passed away. She further insisted them not to come to the town instead she brought the body of his father to his grandmother's home where he and his relatives got suspicion over the death due to injuries present over his father's neck. Hence police filed an FIR and proceeded to the place where body of the deceased was placed. Hence forth conducted the inquest, registered the case as unnatural death under section 174 CrPC and submitted requisition for autopsy to the Head of the department of Forensic Medicine, Sri Venkateswara medical college, Tirupati, Andhra Pradesh and on the same day autopsy was conducted.

Following findings were found during the autopsy -

A moderately built and nourished male body of dusky complexion about 157 cm tall with congested face, edema over the neck, bloody froth at the nostrils and blood stains over the left angle of the mouth and cheek. Eyes were congested and cyanosis of finger nailbeds.



Following wounds were present over the body

External -

- 1) Two abraded contusions of 1x1 cm and 1x0.5 cm, with gap of 2 cm over front of upper part of right side of the neck.
- 2) Scratch of 2x0.5 cm, over outer aspect of upper part of right side of the neck.
- 3) Abraded contusion of 0.5x0.5 cm, over outer aspect of middle part of right side of the neck.
- 4) Abraded contusion of 0.5x0.5 cm, over front of lower part of right side of the neck.

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- 5) Abraded contusion of 1x0.5 cm, over front of upper part of left side of the neck.
- 6) Abrasion of 2x1 cm, over outer aspect of lower part of left side of the neck.
- 8) Fracture of vertebrae in between C2 - C3, C3 - C4, C4 - C5 with extravasation of blood into paravertebral tissues.

Internal –

- 7) Multiple contusions over the subcutaneous tissue and strap muscles of both sides of the neck.

Hyoid bone and thyroid cartilage are intact. All the abrasions and contusions are red in colour.



- Brain showed diffuse subarachnoid hemorrhage.
- Intense congestion of all the internal organs.

#### Histopathological Examination:

Revealed no gross or microscopic abnormality of the heart except fatty streaks in the aorta.

**Chemical Analysis Of Viscera:** Revealed presence of ethyl alcohol in the tissue samples and blood and no other poisonous substance found.

The postmortem findings were communicated to the investigating officer who further continued the investigation and altered the section from 174 crpc to 302 and 201 IPC and upon further interrogation the following points were brought to light.

#### Confession Made by the Spouse of the Deceased -

The wife of deceased made confession 10 days after the autopsy that she had affair with a man who lives in the same town. Her husband's physical violence was getting worse day by day as he came to know about their affair hence one day she decided to kill her husband. so on 18.07.2021 around night 11 PM she voluntarily picked up a quarrel with her husband and started to argue, meanwhile the man with whom she is in affair came to her home and assisted her in murdering her husband. She pushed her husband down, sat on his chest and throttled him with her both hands. They confirmed that her husband is dead and she called her husband's relatives and conveyed that her husband died due to heart attack and she will bring his dead body for cremation. The man with whom she is in affair also confessed the same.

### 3. Discussion

- Homicide is killing of a human being by another human being. It becomes murder which is defined under

section 300IPC if the act by which death is caused is done with the intension of causing death.

- With intension of causing such bodily injury as the offender knows to be likely to cause death.
- With the intension of causing bodily injury which is sufficient in ordinary course of nature to cause death.
- If person committing the act knows that it is so imminently dangerous that it must in all probability cause death.
- Essential components include deliberation, premeditation and intension to kill.
- However, in this case the autopsy findings does not completely correlate with the confession made by the accused as they have never revealed the reason for the fracture of cervical vertebra and who did it.

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