Profile of Mutilation-Murder in Northern Medico-legal Jurisdiction of Himachal Pradesh, India

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Abstract
Although the mutilation-murders are rare, but sudden outbreak of such cases over one year period (May 2011-April 2012) in Northern Medico-legal Jurisdiction of Himachal Pradesh (India) has put distrust on the security system in the state and have left the public with volte-face due to escalation of the hideous crime in the society. The purpose of this study was to provide an analysis of the mutilation-murders. Among total mutilation-murders all were of ‘defensive type’ executed through both active (cut-off parts, incineration) and passive (animal gnawing, decomposition) means of mutilation. Among all victims 77.78% are female victims of 18-40 years age group; absolute identification could be established in 33.33% cases, which were the local inhabitants and being killed by their lovers and acquaintance in rainy and summer season by means of mechanical asphyxia and were involved in illegitimate sexual relationships. Six of them remained un-identified; this fact is suggestive of need of DNA profiling based identity card of the citizens to conquer the objective of mutilation-murder in the society.

Key Words: Mutilation, Homicide, Corpus delicti, Medico-legal, Crime

Introduction:
Mutilation [1] (the act of removing or destroying a conspicuous or essential part or organ) of a corpse has always been viewed by society to be a more dreadful crime than the homicide itself. “Mutilation-murder” is an extremely rare crime and is defined as “those homicides where the offender tried to dismember the victim”. [2] Pu¨schel and Koops [3] have suggested four different kinds of homicidal mutilation:

- **Defensive**: where the motive is to assist in hiding or moving the body, or getting rid of evidence, or making identification of the victim more difficult;
- **Aggressive**: where the killing and mutilation is brought about by the same aggressive strong emotions
- **Offensive**: where the dismemberment is in fact the real purpose of the murder all along (lust and nacro sadistic murders);
- **Necromantic**: mutilation carried out on a dead body with a purpose of using some body part(s) as a trophy, symbol or fetish.

In water all manner of aquatic animals can mutilate immersed bodies, as well as land mammals if the corpse is in shallow water or grounded on a mud-bank or the beach. [4] Rajs et al [5] have reported that mutilation occurs in time clusters and mostly during the summer and winter periods and had increased during the three decades from 1960 to 1990 with incidence rates of 0.05, 0.1, and 0.125 per million inhabitants per decade respectively.

Dismemberment is in reality a relatively rare method whereby after killing the victim, the murderer uses a very sharp cutting weapon (a saw, axe, etc.) to sever the limbs and cut the body into small pieces. [6]

Apart from an unfavorable personal life situation at the time of the offence, essential predisposing factors are: poor integration in society and family, occupational problems, drug abuse and mental diseases. [7]

It is probably true everywhere in the world that interpersonal relationships, especially those with a sexual component are associated with the most intense of human passions, including violent passion. [8] Mostly in the literature only case reports have been published and there is scarcity of information on the topic of mutilation-murder and its updated trends; our study is an endeavor to establish different medico-legal aspects in this regard.
Material and Method:

This article presents a retrospective study of a consecutive series of 'mutilation-homicides' that were autopsied over the period of one year from May 2011-April 2012 in the Department of Forensic Medicine, Dr. R.P.G.M.C. Kangra at Tanda, H.P. i.e. Northern Medico legal jurisdiction comprising six districts of Himachal Pradesh, India.

Out of 203 medico-legal autopsies conducted over this period, the reports of mutilation-homicide cases were identified. Information about the cases was collected from the police inquest papers and the post-mortem reports; with respect to Forensic point of view, the material facts were noted down and analyzed to compare with the selected studies in other regions of the world.

Results:

As per authors acquaintance only occasional streak cases of mutilation-murders have been reported in the state of Himachal Pradesh (India) and this is the first time when annual incidence of 4.43% (nine cases among total 203 ) has been noticed and is being documented.Out of total nine cases 55.56% were males and 44.44% were females. Seven were in young adult age group (18-40years) and two were in age group of 41-60years i.e. 77.78% of the total mutilation-murder victims and all the female victims were of young adult age group.

The seasonal propensity of mutilation-homicide was 44.44% in rainy season, 33.33% in winter season and 22.22% in summer season. Among males and females, 80% males and 75% females were made victim of mutilation-homicide in rainy and summer season.

Among all cases, the cause of death could be ascertained in 44.44% cases and in 55.56% cases it is being given as ‘Homicide by unspecified means’. The various methods for execution of homicide in diagnosed cases were mechanical means of asphyxiation like strangulation, throttling, gagging with strangulation and smothering. The implements used for ligature strangulation and gagging were soft, broad clothe of victims on all occasions. One person was smothered by the soft pillow at his residence only. One male victim was subjected to manual throttling.

The police was able to nail down offenders in three cases (33.33%) only, where the victims has been identified as local inhabitants and two of them were killed by their lover, whereas one was murdered by an acquaintance (family members of girl to whom the victim was in intimate relation). The police was not able to establish absolute identity of victims whose dead bodies have been retrieved from the mud/ rocky- bank of rivulets along the national and state highways and ultimately for time being the investigation met a dead end.

On police investigation, primary and secondary crime scene were documented in three cases of local inhabitant of the area (two were killed outdoor and one was killed indoor); rest all corpse were retrieved from secondary crime scene (i.e. the mud/ rocky- bank of rivulets along the national and state highways) used only to dispose of and get rid of the corpse. All the three local victims of mutilation-murder were involved in the illegitimate sexual relations; five un-identified cases without any apparel have raised the suspicion of sex related crime and in one case no possibility could be made out.

One male and one female were chopped off after their death with moderately heavy sharp weapon and dead bodies (torso only) were recovered from boxes lying in banksides of rivulets. One male and one female after being killed by homicidal strangulation were mutilated by incineration using accelerants like kerosene, petrol, rubber of wheels. The head of four victims were disfigured with heavy stones and then bodies were thrown on road side rivulet’s banks in secluded place to subject the corpse for decomposition and gnawing by wild animals. In all these cases mutilation was of post-mortem nature.

All mutilation- murder cases studied were of “defensive type”. There was no evidence of any genital mutilation of the body or any other torture over the body remains or over-killing or sharp injuries over breast, lower abdomen, perineum etc. in the studied cases so cannot be classified among remaining three types of mutilation-murders.

Discussion:

The major duties of a medico-legal system in handling deaths falling under its jurisdiction are:

- To determine the cause and manner of death
- To identify the deceased if unknown
- To determine the time since death and injury
- To collect evidence from the body that can be used to prove or disprove an individual’s guilt or innocence and to confirm or deny the account of how the death occurred.
- To document injuries or lack of them
- To deduce how the injuries occurred
- To document any natural disease present
- To determine or exclude other contributory or causative factors to the death
To provide expert testimony if the case goes to trial;

The manner of death as determined by the Forensic Pathologist is an opinion based on the known facts concerning the circumstances leading up to and surrounding the death, in conjunction with the findings at autopsy and the laboratory tests. [9]

Homicide is a ubiquitous phenomenon and the cases included in this study have been labeled as homicide on this medical ground only. The homicide fortified with mutilation of corpse is documented from ancient times. The mutilation of dead body has become common in recent time all over the world. [10-16] In Federal Republic of Germany, Gerchow [16] had reported an average of 6 to 7 mutilation murders every year during a ten-year period in the sixties and seventies. In a study of Rajs et al [5] conducted at Sweden, the incidence of mutilation murders during the three decades 1961–1990 was 0.05 to 0.125 cases per million inhabitants per year.

At the authors working place and in Indian context no previous study pertinent to this subject is available but as per their acquaintance except on streak occasion such cases has never been dealt in large in the previous years and this is the sudden outbreak in the incidence so it is not suitable and prudent effort to compare incidence of such cases in this hilly region of India with the other regional studies. Second reason is in concerned police stations of jurisdiction, no complaint regarding missing local inhabitant was on the record except three cases that were positively identified as inhabitants of the local jurisdiction.

In regard to rest six which were found on the rivulet's side banks: as this place being land of hills, gorges, forests, wild animals and rivers provide the offenders with lot of choice for secluded places; seems to be plausible reason for transporting the corpse to this terrain to taunt the police investigation and to use it as a dumping ground for such corpse so that corpus delicti can be further significantly impaired by passive processes like natural means of advance decomposition and animal gnawing.

In our cases, only ‘defensive type’ of mutilation-murder cases have been identified; which is in accordance with the study of Gerchow [16], who reported defensive mutilations as common type in the Federal Republic of Germany, Austria, and Switzerland and is in discordance with the study of Rajs et al [5] reporting higher proportion and incidence of offensive mutilations as compared to the defensive mutilation-homicides.

There was a clear association between mutilation and the season of the year. Our study has revealed the seasonal preponderance of ‘defensive-mutilation’ in order of frequency as rainy, summer and winter i.e. ‘defensive-mutilations’ were more common in rainy season (August) and this fact is in accordance with other studies. [5]

Irrespective of the different system are being followed in different jurisdiction all over the world, investigation to the incidence of death in suspicious circumstances starts with the establishment of corpus delicti (i.e. facts of any predefined criminal offence); the main fact of which are the establishment of the identity of corpse, infliction of violence in a particular way, at a particular time and place, by the person or people charged with crime.

As in India, during the period of reported cases the cases of murder with dismemberment retrieved from various railway stations and other places have been the headlines of the news, media along with lots of arguments by the concerning investigation authority on their helpless condition to handle such crime because of lack of identification of the corpse. It is our impression that the focus on such crimes in media may have stimulated potential mutilators in this peaceful part of India and have used mutilation as tool to shield them from investigating agencies; this fact is in accordance with other authors. [5] The mutilations were more common in big cities; finding in accordance with reports from the United States and Sweden. [10, 13, 15]

The majority of victims were of young adult age group 18-40 (median 30) years and only two were between 41-60 years. Four females were of adult age group i.e. 18-40 years. The adult age group is more vulnerable as a victim of the mutilation-murder and illicit sexual relation being the perpetuating cause for this sort of end to the life.

The state police was able to nail-down offenders in 33.33% cases of mutilation-homicides where both victims and offenders were the local inhabitants of the Northern medico-legal Jurisdiction of the state. The killing had been performed without any planning where the offender suddenly found himself with a dead body and the aim of mutilating the corpse was to disrupt the identity of the deceased and getting rid of it without any mental or practical preparations. This behavioral pattern is also reflected in the fact that the dead body had been left at the scene of the crime. The cases of defensive-mutilation in this hilly terrain of India have been performed mostly by more than one
disorganized murderers and were not planned and on all occasions the illicit sexual relations have been reported. Sadistic cutting or stabbing may be inflicted on sexually significant areas, especially the breasts, buttocks, perineum and lower abdomen and fatal head injury; throttling and knife injuries may be sexually oriented. [4] In the series of reported cases no such finding has been documented and none of the case was labeled as of ‘offensive type’ mutilation-homicide.

The causes of death determined at autopsy in four of the nine cases was by different means of the mechanical asphyxiation like manual strangulation, throttling, strangulation with gagging, smothering.

In three out of nine cases the perpetrators were identified and preponderance of male perpetrators aged 17 to 53 years (median 37 years). The offender was assisted in the mutilation-homicide in two cases by the female for mutilation of the corpse after the deceased was being murdered by the offender.

In three cases the body parts were found in the boxes being retrieved from the rivulet bank-side near the vicinity of the state or national highways. Konopka et al [17] reported that homicides ending with corpse dismemberment are most commonly committed by a person close to or at least acquainted with the victim and dismemberment is nearly always performed at the site of homicide, generally at place inhabited by the perpetrator, our findings are consistent with this study.

In the observed ‘defensive type’ mutilation-homicides cases in this hilly terrain of India; in 33.33% cases the perpetrators have transected the body by cutting off the head and extremities of the victim for transporting the corpse and concealing it where it will not be noticed, in two cases has been mutilated through the postmortem incineration, the mutilation of the corpse in 33.33% cases has been accomplished by disfiguring the head of corpse with stones and further being mutilated by the animal’s gnawing, and one case was mutilated by the passive means of the process of decomposition when lonely living corpse kept into a metallic box and his house was locked by the perpetrators from outside.

Konopka et al [17] finding that in defensive mutilations, the perpetrator divides the body of the victim into pieces that allow for transporting the corpse and concealing it where it will not be noticed and in the majority of cases, the head and extremities are cut off the trunk, or the body is cut in halves across the trunk [17]; is consistent with our study up to certain extent but our study is more elaborately suggesting the different means of mutilation being used by the offenders involved in mutilation-murder cases i.e. the means of mutilation are varying from active (by the act of offender himself) to passive (by the natural means of decomposition and animal gnawing) methods.

**Conclusion:**

The homicide by mechanical asphyxiation seems to be a perpetuating factor which instigates the offender for defensive mutilation method to disrupt the corpus delicti. The wide media coverage of mutilation-murders in metropolitan cities has stimulated the potential mutilators in this peaceful terrain.

It may be suggested that the psychological profiling of such offenders should be performed which can be of an immense value in determining the personality type responsible for such kind of crimes. Most of such criminals are getting successful to taunt the investigation agency by disrupting the corpus delicti.

DNA profiling based identity cards should be issued to the citizens to conquer the objective of mutilation-murder in the society.

**References:**


<table>
<thead>
<tr>
<th>S.N</th>
<th>Season</th>
<th>Age (yrs)</th>
<th>Sex</th>
<th>Primary scene of crime</th>
<th>Secondary scene of crime</th>
<th>Weapon used</th>
<th>Cause of death</th>
<th>Identification (Partial/Absolute)</th>
<th>Time between death &amp; postmortem</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Summer</td>
<td>20-25</td>
<td>F</td>
<td>Not known.</td>
<td>Bank of rivulet</td>
<td>Blunt, moderately heavy</td>
<td>?Head injury</td>
<td>Body found in naked position, grossly disfigured body due to advanced decomposition, only partial identity could be established on p.m.</td>
<td>2-4weeks</td>
</tr>
<tr>
<td>2</td>
<td>Rainy</td>
<td>30-40</td>
<td>F</td>
<td>Not known</td>
<td>Bank of rivulet</td>
<td>Blunt, moderately heavy</td>
<td>?Head injury</td>
<td>Body found in naked position, grossly disfigured body due to advanced decomposition, only partial identity could be established on autopsy.</td>
<td>3-4weeks</td>
</tr>
<tr>
<td>3</td>
<td>Rainy</td>
<td>30-40</td>
<td>F</td>
<td>Not known</td>
<td>Bank of rivulet</td>
<td>Sharp, moderately heavy</td>
<td>? Torso of Body found in naked position in a metallic box, head &amp; lower-limbs chopped off, only partial identity could be established on autopsy.</td>
<td>2 weeks</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Rainy</td>
<td>30-40</td>
<td>M</td>
<td>Not known</td>
<td>Bank of rivulet</td>
<td>Blunt, moderately heavy, with broad surface</td>
<td>?Head injury</td>
<td>Body found in half naked position with both arms tightly ligated on the back, grossly disfigured body due to advanced decomposition, only partial identity could be established on autopsy.</td>
<td>1 month</td>
</tr>
<tr>
<td>5</td>
<td>Rainy</td>
<td>30-40</td>
<td>M</td>
<td>Not known</td>
<td>Bank of rivulet</td>
<td>Blunt, moderately heavy, with broad surface</td>
<td>? Body found with clothes without any other belonging, face grossly disfigured with stones kept on head and due to advanced decomposition, only partial identity could be established on autopsy.</td>
<td>2 weeks</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Winter</td>
<td>30-40</td>
<td>M</td>
<td>In the fields</td>
<td>In the fields</td>
<td>Soft and broad cloth, kerosene oil</td>
<td>Ligature strangulation with fracture of greater cornue of thyroid cartilage on both sides</td>
<td>Body found with burnt pieces of clothes and mobile phone, face grossly disfigured with post-mortem burning more severe on head, absolute identity established with DNA Profiling</td>
<td>3 days</td>
</tr>
<tr>
<td>7</td>
<td>Winter</td>
<td>29</td>
<td>F</td>
<td>In the forest area</td>
<td>In the forest</td>
<td>Soft and broad cloth, kerosene oil, tyres of light motor vehicles</td>
<td>Ligature strangulation with gagging</td>
<td>Incinerated remains of head &amp; neck, left hip joint part found with burnt pieces of clothes, part of ligature material over front of neck and gag in mouth, absolute identity established with DNA Profiling</td>
<td>1-2 weeks</td>
</tr>
<tr>
<td>8</td>
<td>Summer</td>
<td>40-50</td>
<td>M</td>
<td>Not known</td>
<td>Bank of rivulet in a brief case</td>
<td>Sharp, moderately heavy, manual throttling</td>
<td>Manual throttling</td>
<td>Lower half of neck, Torso of Body with upper half of thigh found in naked position in a brief case, head &amp; lower-limbs chopped off, only partial identity could be established on post-mortem</td>
<td>3-5 days</td>
</tr>
<tr>
<td>9</td>
<td>Summer</td>
<td>54</td>
<td>M</td>
<td>In residence in a metallic box</td>
<td>In residence in a metallic box</td>
<td>Soft pillow</td>
<td>Smothering</td>
<td>Body found with clothes, face and body grossly disfigured due to moderate decomposition, absolute identity established.</td>
<td>3-5 days</td>
</tr>
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