

■ CASE REPORT

Homicidal Railway Accident: A Case Report

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ABSTRACT

INTRODUCTION

Railway transportation has emerged as the major mode with the ongoing modernization of vehicular mechanics. In India, the railway tracks run not only in the outskirts but also in between the suburbs in many places. And with the rising population of the country, most of the trains are over packed with the passengers travelling to their destination. The railway is still the most preferred mode of transportation as compared to flight and road in India. These factors play the role in increasing the chances of accidents in India. It is not quite unusual for us to hear about some sort of railway accident or derailment of a train on a normal day. On average there are 15 deaths every day due to railway accidents since India is the fourth largest country concerning railways transport system. With a huge proportion of the population living without the availability of basic needs of a home, as is commonly seen in form of shanties beside the railway track itself. The railway providing compensation in cases of accident related to it has become a source of easy money, luring many towards the fraudulent use of the rule. The same was seen in the below discussed case report.

KEYWORDS | RAILWAY ACCIDENT; HOMICIDAL DEATH; HEMORRHAGIC SHOCK.

INTRODUCTION

The most important known role of a forensic pathologist in any type of accident is not only restricted to performing the autopsy. The forensic pathologist's role starts with identifying the individual and ascertaining the cause and pattern of visible injuries. This pattern can help establish the most appropriate reason for the injury and help find the cause of death. Which ultimately helps the investigating authority to rule out the dilemma between the accidental and homicidal theory behind the death.

Deaths in cases of railway accidents occur

while the person is either trying to cross the track or crossing the unmanned crossing. While most of the non-fatal injuries occur as a result when passengers of the train hang out of the doors and are hit by certain objects on the side of the track like poles or trees.¹¹ In cases where history is not clear, difficulty in distinguishing accident from suicide/homicide arises.¹²

Establishing the cause of the incident is the main crux in all types of accident cases under investigation. The information is not only relevant to the investigating authorities but also the others to prepare strategies for

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its prevention. The person's relative position concerning the striking surface of the vehicle produces a different type of pattern of injuries.

With a limitation of systematic studies related to respective injury patterns, forensic pathologists are many times asked for the reconstruction of the event after the postmortem. Reconstruction of the event along with the injury pattern noted on the deceased led to an interesting change in the manner of death in this case. The same is the scenario in the case of a railway accident in India. Where the railway covers 6909 stations traversing 63273 km in length.¹³

CASE

The unidentified deceased was brought to the autopsy centre of MGIMS & KHS, Sevagram at around 07:30 PM by the Seloo Road railway police wrapped in cloth with dissected two parts. The body was kept in cold storage. The next morning the body was identified by his clothing and old scar mark over the right side forearm.

As per the history provided by the relatives they were unaware of his whereabouts since 1 day before the discovery of the body. He was last seen by his wife, while he was leaving for lunch with his friends. A complaint was lodged with the nearest police station at night when he didn't return home.

The post-mortem examination was performed after receiving the requisite documents. The findings are as follows:

Crush injury with two dissected halves at the level of the iliac crest, separating the trunk and the lower half of the body with evisceration and exposed bony structures, margins of the wound irregular with deposits of blackish coloured grease, dirt and stone particles was noted. Suggestive of railway track injury.

Split lacerations of varying sizes from 2cmx1cm to 6cmx2cm going deep to the bone were seen over the left side frontal region, left parietal, and left the temporal region with everted irregular margins and no grease or dirt materials. The presence of a punctured wound adjacent to the left tragus with 3 cm diameter, everted edges going deep to the muscles of the

neck was noted. As depicted in Fig. 1.

Chop wound of size 11cmx4cm, directed obliquely downwards over the right side of the neck just below the ramus of mandible with head towards the lateral aspect and tail towards the midline, with clean cut margins, depicted in Fig. 2. Underneath muscles were hemorrhagic, with a clean cut margin of the incision of the carotid artery of size 0.5cmx0.2cm. Two clean cut incised wound of size 2cmx1cm was noted over the ala of the nose.

All the above mentioned injuries were ante-mortem in nature. Internal organs were found to be pale. No positive finding indicating the natural cause of death was noted. No noxious smell was perceived on opening the stomach, or intestine. However, viscera were sent for toxicological examination and turned out to be negative for any type of toxin/intoxicant.

DISCUSSION

Railway transportation has emerged as the major mode with the ongoing modernization of vehicular mechanics. With this, there has been an increase in many folds of accidents associated with the railway. India is a developing country railways system is the preferred economic mode for travelling. In the world, Indian railways are the largest network under single management.

In India, the railway tracks run not only in the outskirts but also in between the suburbs in many places. And with the rising population of the country, most of the trains are over packed with the passengers travelling to their destination. These factors play the role in increasing the chances of accidents in India. Thus, railway accidents have an important role in the medical and legal terms that are related to trauma and other related disorders/disabilities arising from it.^{1,2}

Moreover, railway tracks have become the most commonly used place for suicides, where access is easy and the outcome is achieved with less amount of effort, leading to self-destruction.³

According to the study conducted by Valsalva et al. victims of the railway, and track accidents

were trespassers in the majority amounting to 83.7%, 7.6% were passengers of the train, and 3.8% were pedestrians and 1.9% were staff of railways. They also found that majority of the cases of railway track accidents were accidental, followed by suicidal ones and were following the study conducted by Mohanty et al.⁴

As per the National Crime Records Bureau (NCRB) of India 27,643 cases were reported of railway accidents. There was a rise seen in the data in 2017 by 1.6%. The deaths reported were 24,545 in 2018 and 3431 were the injury burden from railway accidents.⁵ On average there are 15 deaths every day due to railway accidents since India is the fourth largest country concerning railways transport system. The scenario in developed countries is different, due to better infrastructure and law enforcement.^{6,7} Mortality and morbidity in such countries due to railway accident is far higher compared to developing countries. In the USA, this causes a burden of around US\$ 300 million annually to the government.⁸

According to Section 124-A of the Railways Act, 1989, the railways are not liable to pay any compensation for death or injury to a person in case of suicide/attempted suicide/self-inflicted injury/his criminal act/ act committed under intoxication or insanity. However, apart from the above mentioned acts amount of compensation payable is Rs. 4 Lakhs in case of death and from Rs. 32000 to 4 lakhs depending on the nature of the injury.⁹ In 2016 Ministry of railways amended the rules for compensation, where the amount was doubled

in case of death i.e. Rs.8 Lakhs. This came into force on 1st January 2017.¹⁰

These amounts of compensation have lured many towards the fraudulent use of the rule. In the above discussed case, the injuries over the face region were consistent with that of an assault by a hard and heavy object. The injury over the right side of the neck was consistent to have sustained from a blow by a certain sharp and heavy object. All the injuries apart from the transection were non-consistent with the railway accident. The cause of death in this was thus given as Hemorrhagic shock due to the incised carotid artery with multiple injuries over the body as a result of an assault.

After further investigation by the police, the fact came to light. The victim was first assaulted by a wooden stick by his friends on a certain petty matter, He then fell unconscious, and his friends later decide to kill him and throw him on the railway track, so that the death appeared to have occurred from the accident on the track. They also decided to extract the compensation money from his wife, by making her believe about the loan he has taken from them.

CONCLUSION

Claiming compensation in cases of railway track accidents has become a common practice in India. Autopsy thus needs to be meticulous for refuting or accepting such claims. This increases the responsibility of the doctor performing the post-mortem. Hence, one should be vigilant and remain unbiased by the



Fig. 1: Lacerations over Face.



Fig. 2: Chop wound over the right neck.

history provided till the same is proven by the observation.

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