

Scenario of Custodial Death at Ranchi Jurisdiction: A Postmortem Study In RIMS, Ranchi, Jharkhand

Dr Sanjay Kumar, Dr Lishu Chaure

(Associate Professor),

(Junior Resident Academic)

Corresponding author: Dr Sanjay Kumar

Abstract:- Preventing torture in custody and ensuring compliance of its guidelines in custodial deaths is one of the Important agenda. Sudden and unexpected death in custody is commonly associated with allegations of torture against law enforcement agencies. Delay in providing basic medical care is one of the commonest allegations by the relatives against jail authorities. In this study we analyzed the pattern of custodial deaths that had been brought to the mortuary at RIMS, Ranchi for medico legal autopsy and have suggested few preventive measures to reduce morbidity as well as mortality among prisoners.

Key Words:- Torture, Custody, prisoner, autopsy, Natural Death

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I. Introduction:-

legally custody is defined as any point in time when a person's freedom of movement has denied by law enforcement agencies such as during transport prior to registering a case or during arrest, prosecution, sentencing and correctional confinement. Death in custody is defined as death occurring in some form custodial detention such as police cell or prison. (1, 7)The motto of the National Human Rights Commission is "SarveBhavantuSukhinah". Happiness and health for all is sought to be achieved through a rights based regime where respect for Human beings and their dignity is cardinal all over the world. All over the world especially in developing countries likes ours custodial death is one of key sensitive issue with respect to Human Rights Violation. (2, 8)

Death occurring in custody is considered to be very sensitive phenomenon, as the person is solely dependent on the custodial authority for all of his constitutional rights including access to health care and it is usually considered as unnatural death by public at large. As such it creates a hue and cry among general population and sometimes caused political involvement. But in contrast to general belief death occurring in custody could be due to natural causes along with unnatural causes. Natural deaths may be due to disease or intoxication already existing in the deceased prior to the custody and aggravated thereafter or may have developed taken into custody. These are mainly due to unawareness and sometimes carelessness on the part of the officials about health status of the prisoners and also due to poor conditions of the jails where prisoners are kept. Various causes, such as suicides, various accidents or tortures by hand of officials and for fellow prisoners and can occur during any period of the custody. (3)

II. Materials and Methods:-

This is a retrospective study on custody related deaths of prisoners for one year from 1st January 2017 to 31st December 2017 at Ranchi jurisdiction which were for autopsy to Department of Forensic Medicine and Toxicology, RIMS, Ranchi, Jharkhand. The records were analyzed for signs of torture, cause of death, manner and place of death and other relevant findings.

III. Result:-

In this 1 year respective study there were total 21 cases were noted. All the cases were male age group of these cases were between 27 yrs. to 70 yrs... The eldest prisoner was 70 yrs. Old and the youngest was of 16 yrs. Old. In 21 prisoners 15 were convicted and 6 were under trial prisoners. In this study 18 prisoners died due to natural causes. Among the natural causes disease of Brain, heart, lung, liver and kidney are involve.

Among three unnatural deaths, two were suicidal hanging and one was of accidental head injury. Two prisoners who died due to suicidal hanging were brought from jail and rest of the cases was brought from RIMS hospital. There were no history or finding of assault or beaten by police.

IV. Discussion:-

According to this study deaths in custody are not always unnatural as opposed to general belief but due to various causes ranging from natural disease, intoxication, accidents and self-destructive behavior of the prisoners to the torture on the hand of authorities and/or fellow inmate.(4)

In present study we have retrospectively analyzed all the cases of custodial deaths which come to the department of FMT, RIMS, Ranchi for Post-mortem examination during period of 1st January 2017 to 31st December 2017. All the cases were analyzed for the cause and manner of the death along with other demographic profile. Regarding manner of death, majority of cases were natural (18 out of 21 deaths) while only 3 cases were unnatural. Among the various causes of natural deaths diseases of lung like lung abscess, tuberculosis, interstitial pneumonia etc. diseases of kidney like polycystic kidney diseases, renal tuberculosis, diseases of heart like atherosclerosis, myocardial infarction, diseases of liver like liver abscess, and one case died due to Carcinoma cheek with brain metastasis, which are confirmed by histopathology report of department of pathology of RIMS, Ranchi. This study suggested that most of the deaths occurring in custody at Ranchi Jurisdiction are natural. The authorities were unaware about their health condition or neglected their treatment. They were rushed to hospitals only when the condition worsened most of them were brought dead to the hospitals. An important fact responsible for the death occurring in the custody is the condition of the jails in India. Overcrowding, unhygienic environment, malnutrition and non-availability of health facilities are the conditions which cause spreading of various communicable diseases such as various vector-borne diseases, blood borne diseases and S.T.D. Besides these, prisoners are also prone to various non-communicable diseases such as cardiovascular diseases, respiratory diseases, mental disorders, neurological disorders, Substance abuse disorders and cancers. These are mainly due to physical inactivity, unhealthy and stressful environment, unhealthy food, physical and sexual violence, deliberate self-harm, various drug abuse and mental health problems mainly depression, anxiety, adjustment problems and psychosis. (5)

Keeping all these in view. National Human Right Commission has instructed the jail authorities to follow a formal medical screening format whenever a new prisoner enters the jail so that health status of the prisoner can be known beforehand and can be managed accordingly.

It has also made guidelines for investigation into custodial death. As per the guideline, it is mandatory to report all the custody related death to the NHRC within 24 hours and the inquiry has to be done by a Magistrate. The autopsy should be conducted by board of doctors with complete videography.

V. Conclusion:-

This study concludes that death occurring in the custody is mainly natural. It has been observed that there is overcrowding in majority of the Indian jails which can lead to spread of various communicable diseases like T.B. and also increase chance of non-communicable diseases. Proper awareness among jail authorities and prisoners in such cases can prevent further spread of infection among the inmates.

Developing good practice, standards on training, reviewing recommendations from NHRC and monitoring progress in their implementation are some of the steps in a positive direction systemic measure to improve prison conditions collecting and sharing information on death in custody and commissioning research and implementation of the recommendations by the Government should be undertaken.

The views of the commission for better maintenance and running of prisons better trained and more dedicated staff, including medical staff and de-crowding of prisons are few of the important suggestions to be followed. Strictly following guidelines and slight modification in the already laid down procedures, as well as compliance among jail authorities will go a long way reducing the morbidity and mortality among prisoners.

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Fig. 1:- Gender and age wise distribution

| Age group | Male | female |
|-------------|------|--------|
| 0-10 years | 0 | 0 |
| 11-20 years | 0 | 0 |
| 21-30 years | 3 | 0 |
| 31-40 years | 2 | 0 |
| 41-50 years | 4 | 0 |
| 51-60 years | 2 | 0 |
| 61-70 years | 10 | 0 |
| Total | 21 | 0 |

Fig. 2:- Number of Prisoners (Convicted-15, Under Trial-6)

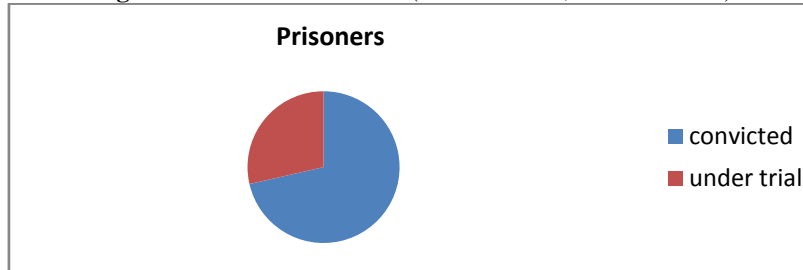


Fig. 3:- Manner of Death (Natural Causes- 18, Unnatural Causes- 3)

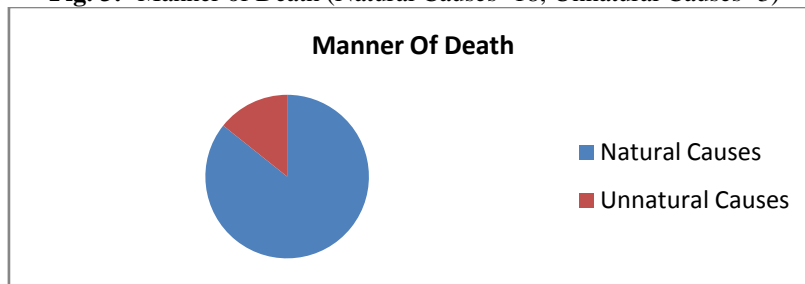
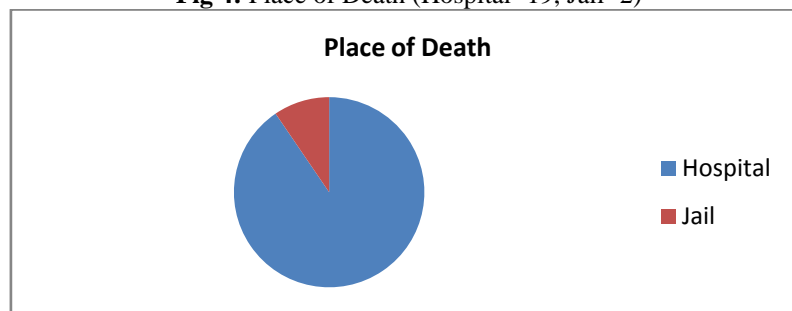


Fig 4: Place of Death (Hospital- 19, Jail- 2)



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