

A Study of Alleged Rape Victim Cases in Dibrugarh District



Medical Science

KEYWORDS : Rape, victim, alleged, medical examination

Dr Renuka Rongpharpi

Assistant Professor, Deptt Of Forensic Medicine, Gauhati Medical College and Hospital

Dr Arpan Mazumder

Demonstrator, Deptt Of Forensic Medicine, Gauhati Medical College and Hospital.

ABSTRACT

Rape is the fastest increasing and heinous crimes against women in the present society. Like the other parts of India, the state of Assam has also witnessed on unprecedented rise in crime against women. Situation in respect of the safety of the girl and women has deteriorated very rapidly and promptly in recent years in almost all parts of the world. In India, as in other countries, rape on children is common owing to the superstitious belief that gonorrhoea and syphilis can be cured by sexual intercourse with virgin⁷. This study was done in the Department of Forensic Medicine and Toxicology, Assam Medical College and Hospital, Dibrugarh, Assam. A total 102 numbers of alleged rape victim cases were selected out of 171 numbers of sexual offences cases brought for Medical examination in this department during the period of 1st November, 2010 to 31st October, 2011. This retrospective study aims at evaluating the age distribution, marital status, victims offenders relationship, time interval between the incidence and medical examination, injury pattern over the body and genitals along with proper collection of medico-legal evidences.

Introduction:

Rape is the fastest increasing and heinous crimes against women in the present society. It is notoriously under reported crime in India. According to the National Crimes Records Bureau (NCRB), numbers of rapes in the country rose by 35.2% to 33,707 in 2013 with Delhi reporting 1,441 rapes in 2013- making it the city with the highest number of rapes and confirming its reputation as India's "rape capital"². Like the other parts of India, the state of Assam has also witnessed on unprecedented rise in crime against women. This rise is more prominently among the adolescent age group of victim. But the Government and the security agencies seems to have no answer to this ever rising problem as the police is not able to even nab the culprit in many cases.

Situation in respect of the safety of the girl and women has deteriorated very rapidly and promptly in recent years in almost all parts of the world. Crime against women during 2010 (2, 13,585) has gone up by 4.8% compared to 2009 (2, 03,804)¹. According to Crime Branch reports, crime against women in the year 2010 to August 2011 of Dibrugarh district recorded 631 cases. In India, as in other countries, rape on children is common owing to the superstitious belief that gonorrhoea and syphilis can be cured by sexual intercourse with virgin⁷. Analysis of last five years data from 2006-2010 the total alleged rape cases in Assam Medical College shows in the rise.

This retrospective study aims at evaluating the age distribution, marital status, victims offenders relationship, time interval between the incidence and medical examination, injury pattern over the body and genitals along with proper collection of medico-legal evidences.

Materials and Method:

This retrospective study was conducted at the department of Forensic Medicine and Toxicology, Assam Medical College and Hospital, Dibrugarh, Assam from 1st November, 2010 to 31st October 2011. A total of 102 numbers of alleged rape victim cases were examined. A proforma was designed and conveniently made to record the various information in details. Refused medical examination, male cases and age estimation cases were not included in this study.

An informed written consent was obtained from the alleged rape victims and from the parents or guardian age

below 12yrs of age for medical examination. Detailed history was obtained from the alleged rape victims, forwarding letter and the accompanying police. A detailed examination of the victims (which includes examination of the Garments, general examination including anthropometry, secondary sexual characters, dental examination, local examination of the genitals and injuries if any) was done and noted. For age estimation the methods adopted were radiological examination, physical examination and dental examination,

Materials needed for laboratory examination such as vaginal smears (Microscopic test) and urine HCG pregnancy test were done and ultrasonography of lower abdomen also advised for diagnosis of pregnancy.

Results and Observation:

A total number of 171 cases of sexual offences were examined in the department of Forensic Medicine, Assam Medical College, Dibrugarh during the period of 1st November 2010 to 31st October 2011. Out of 171 total numbers of sexual offences, 102 were alleged rape cases, constituting 59.64% of the sexual offences. Most of the victims were in the age group of 18-25 years (46.10%) followed by 10-12 years of age group. The youngest victim was a 5 years old girl and the oldest being 25 years of age.

Most of the victims were unmarried 80.40% (82 cases) reported during the period. Considering the victim offender relationship, most of the offender of rape cases 30(29.4) were friends and neighbours, followed by close acquaintance 29(28.4%) and the lowest number was recorded as unknown 2(1.9%) cases.

In current study it was observed that the highest number of cases (74) examined after 7days (72.5%), 10 cases (9.8%) were brought for medical examination within 24 hours of incident, 6 cases between 24-48 hours and 8 cases in 3- 7 days. It also observed that stain was present in the garment of the victims in 2(1.96%) cases which was of blood stain and in 100(98.04%) cases no stain were detected.

Out of 102 cases brought for medical examination injuries over the body were found in 3 cases and 5 cases had injury to the vulva. The present study reveals that most of the victims had old tears in 68(66.7%) cases, followed by 26(25.5%) cases in which hymen were intact. Recent tear

was seen only in 8 cases(7.8%). Tenderness and bleeding on the hymenal tears found in 11 cases (10.8%). Most common position of hymenal tear was 6 O'clock position in 34(33.3%) cases, followed by 3 O'clock position in 29(28.4%) cases and tear in the 12 O'clock position was least common.

It was observed that out of 102 cases no significant laboratory finding was there. Laboratory investigation reveals the presence of RBC in 1 case (0.98%), 1 case (.98%) shows presence of intact spermatozoa and 11 cases (10.78%) presented with positive test for pregnancy.

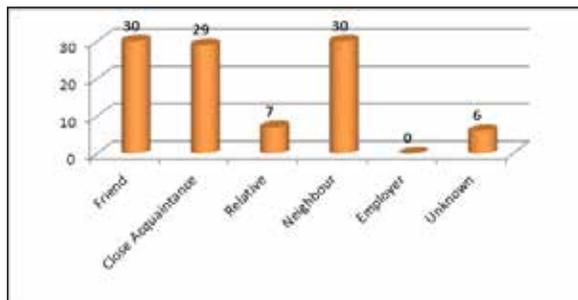


Figure 1 showing the victim offender relationship.

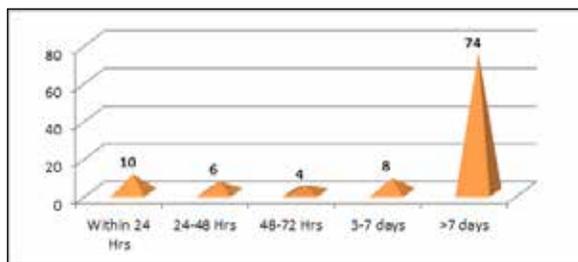


Figure 2 showing the distribution of interval between incidence and Medical Examination

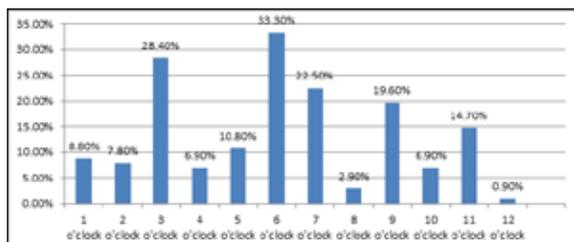


Figure3 showing the position of the hymenal tear in alleged rape victims

Discussion:

Rape is the fastest increasing form of violence against women in the country today and many women are assaulted in some form or the other every hour across the country. In the present study out of 102 cases of alleged rape victims studied most of the victims were in the age group of 18-25 years (47 cases), of which the youngest victim was a 5 year old girl and the oldest being 25 years. The finding of present study is consistent with the finding of Voight (in Denmark), PP Das and Memchoubi Ph et al who reported that the most common age group being 18-25^{15,4, 6}. Similarly, Modi, Bhooshana Rao also had the maximum incidence in the adolescent and early age group⁷. The present study was variance with the finding of Sarkar et al who found the most common age group was between 16-20 years¹⁰. The findings of the present study also differs from the findings of Bhomick k et al, Tamuli RP and Roy et al who reported the most common age were between 18–20 years, 11–20

years and 16-20 years respectively^{3,14,9}. The findings of the present study also differs from the findings of Tailor et al and Yadav A et al who observed that majority (71.6%) victim were in the age group of 14-17 years and (10-20yrs) respectively^{13,16}.

Increased incidence among the young person is due to the fact that, female between 18-25 years of age are more easily intimated, accusable and more over they are quickly flattered by attention and easily deceived. Also this is the fact that most of the cases were actually consented acts of intercourse and later the complaint was lodged when there was refusal to marry by the male partner.

In current study out of 102 victims 82(80.40%) were unmarried. The present study is similar to the study of Das PP reported 84(80%) cases unmarried⁴. The findings of the present study are similar with the findings of Bhomick K et al, Tamuli RP et al, Yadav A et al and Parveen in Faisalabad city, Pakistan who observed that unmarried women outnumbered married^{3,14,16,8}. The low percentage among the married women is due to the fact that the wedded female has a protector, her husband and more over when she does venture out is with the company of her husband.

As far as the relation of the victim with the offender the present study shows that most of the offender of the cases 89(98.1%) were known to the victims, while 2(1.9%) cases were unknown. Sarkar S et al had 44.4% offender known to the victim, 30.76% offender were close friends and 18.80% offender were strangers to the victim¹⁰. Bhomick K et al in their study observed that most of the offender were friends with 169(55.4%) and stranger with 49(16.06%) of cases³. A major factor behind this is that most of the cases were consented act and later the complaint was lodged when there was refusal to marry by the male partner.

In the present study it was observed that the highest number 74(72.5%) of cases examined after 7 days. Sukul et al support the finding of present study that majority of the cases 86.20% presented late for examination¹². Das PP finding also consistent with the present study that the highest number 36(34.3%) cases examined after 7 days⁴. Tamuli RP et al in their study reported 131(34%) cases reported for examination after 3-7 days¹⁴. The late reporting in this study was probably due to hesitation, fear, ashem and insult that would face by the victim and the family if it was made publicly. The possibility of not detecting reliable finding of alleged rape crime decreases with increasing time.

Out of 102 cases only 3(2.94%) cases sustained injury (bruise and abrasion) to the body while majority of cases 99(97.06%) had no injury. The present finding was consistent with the findings of Das PP and Bhomick et al that majority of the cases reported with no injury^{4,3}. The present study observed that only 5(4.9%) cases reported with vulval injury and majority of the cases 97(95.1%) had no such injury. The reason being most of the victims were late for examination and also most of the acts were consented followed by refusal to marry and later the complaint was lodged. The present study is similar with the finding of Das PP that only 9(8.6%) cases presented with genital injury and majority of the cases 96(91.4%) had no injury and Bhomick K et al observed that genital injury were reported in 16(5.26%) of the total number of cases^{4,3}.

It was observed in the current study that 8(7.8%) cases presented with recent tear in the hymen, 68(66.7%) presented with old tears and 26(25.5%) cases with intact hymen. The present finding is similar with the finding of Sukel et al,

Bhomik K, et al and Tamuli et al who also reported that most of the cases presented with old hymenal tear^{12, 3,14}.

In the present study it was observed that position of the hymenal tear 6 O'clock position with 34(33.3%) followed by 3 O'clock with 29(28.4%) cases. Tamuli RP et al findings consistent with the finding of present study that 6 and 3 O'clock position were commonest site for hymenal tears and the finding of Gogoi RK also consistent with the current study that 125(54.35%) cases presented with 6 O'clock position and 91(39.56%) cases with 3 O'clock position^{14,5}.

In the present study it was observed that 11(10.78%) cases presented with positive test for pregnancy. Because of the fact that most of the victims were unaware and ignorance about the fact. Sukul et al findings found consistent with the finding of the present study that 14 (16.09%) cases became pregnant following the act¹². Bhomick K et al in their study observed that 20 cases reported with positive test for pregnancy³. Tamuli RP et al reported with 19 cases with pregnancy at the time of examination¹⁴. The current study shows that spermatozoa were detected in 1 case. Sharma et al reported out of 1000 cases, the incidence of positivity of the samples for presence of spermatozoa was 37%¹¹. The absence of sperm cells was due to long time laps between the incident and the examination or the fact that the alleged incident did not occur in the first place. Gram's staining of vaginal smears was done and were observed under microscope.

Conclusion:

Rape is a serious violation both of women's physical and psychological integrity and also of the right to freedom, safety and dignity enjoyed by all human beings. We need to change society's attitude towards rape. Proper education including sex-health and sex education especially to the young adolescent group will be an important step in minimizing the incident of sex crimes in the society. Necessary emphasis is to be given for the prompt examination of the victim and the accused before the time lapse has become the "fatal delay" for the case and also to make new effort for the advancement in examination of the rape victims. No matter what was the history or whatever the consequences, the path for the medical man is only one- the path of science that is truth.

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