



EXHUMATION
MEDICAL AND LEGAL
ASPECTS

PRESENTER: Dr.RAJKUMAR.M.G

MODERATOR: Dr.UMESH BABU.R

DEFINITION

- The word Exhumation comes from Latin words ex meaning "out of", and humus, meaning "ground". Thus the word literally means "out of ground".



- Exhumation means the lawful disinterment or digging out a body from a grave, which has already been buried.(176 of Criminal Procedure Code (Cr.P.C.))

Exhumation is rarely done in India, because in our country, most of the bodies are disposed off by cremation (burning).



Exhumation vs. retrieval of a clandestinely buried body:



- Exhumation must be differentiated clearly from the retrieval of a body clandestinely buried by the criminals. In the latter case, the body was never legally buried (or inhumed) in the first place.
- Retrieval of such a body is NOT exhumation

OBJECTIVES

1. for purposes of identification .
2. to determine the cause of death , when foul play is suspected.
 - e.g. homicide, disputed case of death or poisoning , exhumation post-mortem is done to know cause , manner nature of death .
3. may also be required to recover some paper or documents or other evidential material buried with dead body.
4. Second autopsy: When the first autopsy report is being challenged or is ambiguous.



RULES

- District Magistrate/Sub-Divisional Magistrate /Executive Magistrate are empowered to order for the exhumation.
- Body is exhumed under the supervision of a magistrate in the presence of a doctor. The presence of a police officer is required for providing witness to the identity of the grave, the coffin and the dead body as well as maintaining law and order.
- Carried out during early morning hours
- In India ,no time limit is fixed



- Autopsy may have to be done at the spot for which a **tarpaulin screen** may be erected around the grave or the body/skeleton may be shifted to a close-by mortuary.



- It is advisable to be conversant with the nature of the **geological layout** of the cemetery and direction of any water drainage. If the grave is water-logged, samples of water should be collected.

IDENTIFICATION & OPENING THE GRAVE

- The identified grave should then be dug carefully to avoid damage to the coffin and its contents. Notes should be made about the condition of the soil, water content and nature of vegetation.
- Then the grave is dig up carefully to avoid damage to the coffin and its content
- In suspected case of mineral poisoning about 500 gram of sample of earth in actual contact with coffin should be collected preserved in a dry clean glass bottle for chemical analysis.
- Control samples at some distance from the coffin should be taken



EXAMINATION

- If interment has been recent then post mortem is carried in usual manner
- After the dirt has been removed from above and around the corpse, it needs to be photographed. A drawing of the grave and body or skeleton should be made noting all the details.
- In case of bodies which has been underground for a sufficiently long time undergone putrefaction, an attempt should be made to determine
 - sex
 - stature
 - marks of identification

EXAMINATION:contd,,

❑ Disinfectants should not be sprinkled on the body. If decomposition is not advanced, a plank or a plastic



sheet should be made to spread under the body and the body be gently shifted onto plank or sheet and then removed from the grave.

EXAMINATION:contd,,

- ❑ If skeletonisation is advanced, then it may become necessary to dig down beside and beneath the body and the skeleton (including some soil from beneath and sides) be lifted on some plank or sheet and transported to a mortuary.



EXAMINATION:contd,,

- ❑ The soil must be carefully screened for smaller objects like teeth, bullet(s), hyoid bone, thyroid cartilage, etc. If necessary, X-ray examination of the body with surroundings should be undertaken before transporting the body and the materials surrounding it.



- ❑ Eight jars with soil from top, bottom, front, back, left and right side of the casket. Two jars contain soil from about 25 yards away from the grave

EXAMINATION:CONTD.,

- Hairs found on body should be preserved in a dry clean glass bottle for subsequent identification chemical analysis.
- A search should also be made for recent or old injuries such as fractures
- All the cavities should be examined as many viscera as can be obtained , should be preserved
- In case of suspected mineral poisoning such as arsenic antimony hairs, nails long bone should be preserved.
- Sample then forwarded duly labeled sealed to forensic science laboratory

EXAMINATION:CONTD.,

☐ In a case of suspected poisoning, viscera (if present and identifiable) should be preserved for chemical analysis. If viscera are not distinguishable, masses obtained from the areas of these organs should be preserved. If viscera/ masses are not present, then hair, nails, teeth, bones and skin should be preserved.

TIME LIMIT FOR EXHUMATION

- In India, England there is no time limit is fixed for disinterment of body
- In France period is limited to 10 years and in Germany 30 years

Exhumed Bones

- If only bones are recovered in exhumation (as in very old graves), the bones must be boiled before examination. Maceration by this process may reveal diagnosis not available otherwise by ordinary examination. Maceration by this process is recommended not only in medicolegal autopsies, but also in historical material.

THANK YOU

REFERENCES:

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