Evolution of Forensic Medicine in India

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Abstract
Development of the mankind took millions and millions of years and along with it, medicine also developed to leap and bounds. With development of medicine, legal aspects of it also came into picture, which lead to the development of the subject Forensic Medicine or Medical Jurisprudence. Our religious and mythological literature contains the detailed description of issues related to law and medicine and there solutions.

Key Words: - History of Forensic Medicine.

Introduction:
Medical Jurisprudence, or, as it is sometimes called, Forensic, Legal, or State Medicine may be defined to be that science which teaches the application of every branch of medical knowledge to the purpose of the law; hence its limits are, on the one hand, the requirements of the law, and on the other, the whole range of medicine. Anatomy, Physiology, Medicine, Surgery, Chemistry, Physics and Botany lend their aid as necessity arises; and in some cases all these branches of science are required to enable a Court of Law to arrive at a proper conclusion on a contested question affecting life or property. The word ‘Forensic’ is derived from the Latin word forensis, meaning ‘of the forum’. It denote the branch of medicine which deals with the application of the principles and knowledge of medicine for the purpose of law, both civil and criminal.[1]

Many a genius from the pages of Ancient Indian history had ever influenced the Rule of Law. Their word remained an integral part of the Government’s functioning, leave alone. The oldest known, Law Code that of Hammurabi, king of Babylon, dating from 2900 BC includes provisions regarding rights and duties of medical practitioner and laid down punishment for physician’s negligent fracture [2]. One such personage happens to be Kautilya, also called as Chankya and Vishnugupta, who wrote the Arthashastra”, which is the most comprehensive treatise of statecraft of classical times. The book covered numerous topics viz., the king, code of law, foreign policy, secret and occult practices and so on. Even after a gigantic lapse of time – more than 2000 years – the master strategist widely known as India’s Machiavelli continues to rake up the minds of the country’s modem – day spiritual gurus.[3]

Kautilya’s Arthashastra states that death can be caused by four ways of stopping the breathing (strangling, hanging, asphyxiation or drowning); two ways of physical injury (by beating or by throwing from a height); or poisoning (by poisons, snake or insect bite or narcotic drugs.

If death is suspected to be due to poisoning, the undigested parts of the meal were tested by feeding it to birds. Cases of suicide by hanging were investigated to rule out the presence of ante-mortem injuries. Similarly, on finding the murdered body of a stranger, his personal belongings such as cloths, dress and ornaments were examined. Kautilya’s Arthashastra describes the necessity of autopsy in establishing the cause of death after smearing the body with oil to bring out bruises, swellings and other injuries.[1]

Veda is abundant source of knowledge. It is considered as the basic scripture of Hinduism. The word Veda is derived from the Sanskrit root ‘vid’, which means ‘to know’ it is said that God created the knowledge in a unique form called ‘Veda’. As it was not created by any purusha or man, it is called APAURUSHEYA. Later the great sage Vyasa, who compiled eighteen puraanaas and wrote Mahabharata, classified Veda as Rig Veda, Same Veda and Adharva(na) Veda.[4,5]

However, the great sage could foresee this and classified Veda into four in order to make it is for the coming generations to understand and follow them. In the ancient tradition of Gurukul, gurus taught Vedas to their disciples by means of chanting and disciples learnt them by listening. That is why the Vedas were called as ‘SHRUTHIS’. [6]

The Atharva Veda gives details about remedies for various conditions in the form of charms. There were charms to cure wounds, burns, poisoning, snake bite, and insanity. Dissections of dead animals were done during this period for the sake of knowledge.[1]

Charaka Samhita is considered to be the most ancient and authoritative writing on Ayurveda available today. It also explains the logic and philosophy on which this system of medicine is based and up to which time system of medicine is...
The duty of the physician was to save the king from any surma. Emetics and their use are mentioned. The Charaka Samhita lays down an elaborate code regarding the training, duties, privilege and social status of physicians. It can be considered as the origin of medical ethics. Students were selected for training on fixed criteria, and instructions were given free. The ‘Charaka Samhita’ gives a detailed description of various poisons, symptoms, signs and treatments of poisoning.

Susruta wrote his Samhita, the most authentic text on the practice of Ayurvedic surgery around the sixth century BC. Susruta is also renowned as the father of plastic surgery.[7] In Samhita chapters pertaining to forensic medicine were so carefully written that they are in no way inferior to modern knowledge on the subject. It also contains a separate chapter on toxicology. The poisons were classified into:

1. Plant products
2. Animal products, and
3. Artificial.

Not only were the symptoms signs and treatment of poisoning described in detail, but also modes of administration of poisons, character of the poisoner and examination of suspected poisonous materials. A poisoner could be known from his behaviour and movements – he will not answer to questions, will keep silent, talk irrelevantly and so on. Poisons were administered through food and drinks; tooth stick; oils and materials for massage; medicaments; water for bathing; articles of clothing; snuffs; smokes and surmas. Emetics and their use are mentioned. The duty of the physician was to save the king from any poisoning or Visha – Kanya, the poisonous damsel. Qualities, responsibilities and duties of physicians were defined. Susruta is unique on chapters on injuries, pregnancy and delivery. Types of weapons and foreign bodies, the signs and symptoms they manifest in the body have also been described. Wounds and fracture of bones have been classified. Principles of cohabitation, signs in a woman fit for conception after periods; signs immediately after impregnation and signs of pregnancy have been mentioned. Among these are darkening of areola and nipple, dropping of eyelids, vomiting without any cause, salivation, and tiredness over the body. Delivery, abortions and foetal development at various months of pregnancy has been very accurately described.[1]

In Muslim period in India the criminal laws were well developed and became a landmark. At that period ‘Quasi-I-Mumalik’ was in charge of civil and criminal litigations. His function was to find out facts and apply the law. There were so many defects in the Muslim criminal law which were detected by Britisher’s and were even abolished.[8,9] The first recorded medico-legal autopsy was performed in India by Dr Edward Bulkle on the afternoon of 28 August 1693. When Mr Wheeler, member of council, Sea Customer and Chief Justice of Choultry in Chenna, died on 28 August 1693.

In 1822, the first medical school was established in Kolkata and converted into a Medical College in 1835. In the same year, Madras Medical College was also established in Chennai. The first chair of professor of medical jurisprudence was established at Madras Medical College in 1857.

The most outstanding contribution of India to legal medicine during burnish period is modern dactylography. It was Sir William Herschel of the Indian Civil Services, who first used this method of identification in 1858. Based on Herschel’s theory. Sir Francis Galton of England devised the systemic study and methods of using fingerprints for personal identification in 1892.[1]

The British government altered this law from time to time till 1862 when the Indian penal Code came into existence. Infact the foundation of our criminal laws is still Mohammedan law but it is so altered and added to by our regulations that it ceases its originality.[9]

Four law Commissioners of whom Lard Macaulay was the chief, prepared the draft Penal Code and submitted to the Governor-General in Counsel on 14th October 1837. On 26th April 1845, it was sent to a Commission of two gentlemen to be revised in the light of English Law, which was then intended to modify and for which a similar Commission had been then sitting in English. This Commission submitted two reports, dated 5th Nov 1846 and 24th Jun 1847. The Bill as revised was pigeon hold for twelve or more years and was passed into law only on 6th Oct 1860. The code as enacted was different from the Bill prepared by the law Commissioner who had recommended only 488 while the code as enacted contained 511 sections.[9,10]

The Indian Medical Council was established in 1933. The police system of crime investigation was introduced in India in 1861 and the coroners systems in 1871 in the presidency towns of Bombay and Calcutta.[1]

Recently the teaching of forensic medicine has improved with the establishment and expansion of the academic departments of forensic medicine and toxicology: in most of the medical colleges. Postgraduate courses in forensic medicine are available in several universities.

It is hoped that trained medico-legists will be available in India in sufficient large numbers in the districts, around the turn of the century.
4. The Rig Veda. (Cite 2007 Jan 22nd); 1(1): (3 screens). Available from URL: http://www.haryana-online.com/History/rig-veda.htm