

AN OVERVIEW OF MEDICOLEGAL ASPECT OF INFANTICIDE***¹Dr. Ukey Jaiprakash and ²Dr. Suhas Mahaveer Vishwambhar**¹Assistant Professor, Department of Agadtantra, M.S. Ayurveda Medical College, Gondia.²Master of Public Health (MPH), National Institute of Public Health Training and Research, Mumbai.Article Received on
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The term infanticide refers to the killing or homicide of a child under 12 months of age and killing of a child under 30 days of life is termed as neonaticide. The most of the infanticide occurs in the first month of life. The vivid reasons for infanticide in a country like India are unwanted pregnancies, consequent girl child, sacrificing as a ritual or even the disability or unfit condition of a child. According to section 315 of Indian penal code, the act done with an intent to prevent child being born alive or to cause it to die after birth, is a punishable offence with a period of imprisonment up to 10 years and will be charged with a fine. The autopsy of such infants is often difficult as the relatives

either hide the body by burrowing or drown in a deep-water body. Often the bodies are recovered due to some animal invasion or during the floods when the body reaches the shore. Also, it becomes very tricky to state that the infant was born dead or alive. When the macerating changes are seen then it indicates the intra uterine death, whereas the presence of milk inside the stomach is suggestive of child being born alive. Spalding sign, mummification, Robert's sign, hyper flexion of spine and crowding of ribs are some of the signs of a dead born child. This write is an humble effort to evaluate the medico legal aspects associated with infanticide and newer techniques associated with it.

KEYWORDS: Infant, Autopsy, Homicide, Neonaticide.**INTRODUCTION**

In order to understand the term infanticide, it is essential to know the terms like fetus, infant, neonate and child. The unborn live baby in womb is term as fetus, the child within 1 year of age is termed as infant, within 28 days of life is called neonate and above one year is a

toddler, preschooler etc. so infanticide refers to killing of an infant at the time from birth up to the age of 12 months. Neonaticide is the term of killing the infant within one month of life. Where as feticide is the killing of fetus at any time prior to birth. Since ages the practice of infanticides is seen in many countries for various reasons like sacrificing for a ritual, unwanted pregnancy, consequent girl child, disable or physically unfit child etc. The Indian state with the highest number of infanticide cases reported in 2021 was Tamil Nadu, with 15 cases. The state of Andhra Pradesh followed with ten cases of infanticide that year.^[1] The infanticide mostly takes place. Within one month of life. Commonly committed by unmarried woman, widows and married woman living apart from husband (illegitimacy) Certain communities, where dowry is prevalent leading to female infanticide (poverty) and problem related to prostitution leading to male infanticide (unwanted sex) The mode of infanticide is often burrowing in a shallow pit, drowning in the river. The parents in such cases often conceal the birth of the child.

A study was undertaken which highlighted the medico-legal autopsy findings of 238 abandoned fetuses and newborns over a period of 17 years (1996–2012) from the region of South Delhi, India. There was no sex predilection. The majority of the cases were full term. Nearly 35% of the fetuses were still born, about 29% were live born and the remainder were non-viable. Among the live born, death by homicide was more common than a natural death and most were left by the roadside.^[2] The diagnosis of infanticide is quite tricky as it is difficult to know whether the child was born alive or dead, or it was a still born. Still birth is when a baby dies during the process of delivery.

MATERIALS AND METHODS

SIGNS OF LIVE BIRTH

Postmortem findings

Presence of clothing and absence of vernix caseosa. Chest is flat interior posteriorly in still or dead born, while after respiration the chest expanse and becomes drum shaped. Skin appearance is bright red in just born and brick red or yellow in the first week. Internal findings suggest that the lungs increase in volume, they are spongy elastic and resemble the adult tissue. On rubbing a piece close to the year crepitation is heard. In Foedere's or static test the blood flow in lung beds increases after breathing so wait becomes double after respiration. The hydrostatic or floatation test suggest that respired lungs float on water. Sometimes false positive results are seen due to accumulation of purifying gases or artificial

inflation. Principle of the test: Specific gravity of unrespired lung (Dead/ still born) is 1.04-1.05 while respired lung (Live born) is 0.94.

The lung of Dead/ still born baby being solid, has a specific gravity more than that of water. Hence, it sinks in water. Presence of air in the middle ear is seen after life birth it is also called middle ear test or Wreden Wendt tympanic cavity test. In case of life birth the large intestine is completely free of meconium within 24 hours after birth but in still birth it will be present in the intestine but in breech presentation and hypoxia meconium maybe completely expelled before birth and maybe absent in such cases of stillbirth. the changes which are seen in blood after the life birth are nucleated RBCs are absent in peripheral circulation within 24 hours after life birth.

Caput Succedaneum

Edematous swelling over the presenting part (of head) seen at fronto-parietal region Its not limited by sutures. The swelling is due to stagnation of fluid in layers of scalp The swelling is composed of blood or serum, or both Disappears within 2-5 days after birth.

Cephalhematoma

Localized collection of blood between pericranium and flat bone of the skull mostly parietal bone and it never crosses the sutures Its due to rupture of small emissary veins and mostly associated with fracture of skull bone Not present at birth but develops after 12-24 hours. May be caused by forceps delivery and also in a normal Delivery Resolves with 10-14 days like a bruise.

SIGNS OF DEAD BORN FETUS

Science of maceration include earliest sign which is skin slippage of face back or abdomen which may be seen in 12 hours after death. the dead fetus is soft flashed with emission of sweet dish available smell but no gases are formed. autolytic decomposition is seen in internal organs but lungs and uterus remain unchanged for a long time. Spalding's sign suggests that there is a loss of alignment and overlapping of fetal skull bones on X-Ray due to liquefaction of cerebrum and softening of ligamentous structures supporting the vault. It appears in about 7 days after birth. Rigor mortis maybe seen in dead born fetus. Mummification is seen due to deficient supply of blood or scanty liquor amnii it happens in more than 2 weeks. Robert's sign suggests the appearance of gas Shadow in the chamber of

heart and great vessels which may appear in 12 hours. the other science includes hyper fraction of spine and crowding of the rib Shadow with loss of normal parallelism.

SIGNS OF STILLBIRTH

In still birth child there is a lack of maceration and lack of lung aeration.

CAUSE OF DEATH IN INFANT

When the surgeon confirms that was born alive or dead or still born than if it was a life birth then it has an additional burden to document that death occurred from which cause. It may be either natural, accidental or criminal.

1) Natural causes

Natural causes include malformation, debility, congenital diseases, immaturity, hemorrhage, spasm of larynx, placenta Previa etc.

2) Accidental causes

It includes the prolonged labor, cord prolapse, twisting of cord around the neck, accidental injuries while labor and precipitated labor.

3) Criminal causes

Criminal causes can be classified in to two.

1. Act of commission
2. Act of omission

Acts of Commission include strangulation by alligator material, poisoning either by opium or acids and insecticides, smothering the baby to death with the help of hand or clothes, head injury by striking against a wall or floor, twisting the neck which causes fracture and dislocation of cervical vertebra and injury to the medulla, burning and drowning.^[3] Often post partum depressive illness or post partum psychosis of mother leads to neonaticide.

Act of omission or neglect is the intentional failure on the part of the mother to extend care to the newborn leading to its death this may amount to infanticide.

Battered baby syndrome

a better child is one who has received repetitive physical injuries as a result of non accidental violence produced by a parent or a guardian.

Shaken baby syndrome

It is a form of Child abuse Abusive head trauma can be caused by direct blows to the head, dropping, throwing or shaking a child Shaking a infant may cause damage to neck spine & eyes. Mostly occurs in ages less than 2 years, but seen up to age 5. H/o poor feeds, lethargy, irritability Childs brain are softer, their neck muscles and ligaments are weak, not fully developed and has got a larger and heavy head in proportion to their body.

Sudden infant death syndrome

COT/CRIB/Sudden unexplained infant death syndrome. Sudden and unexpected death of a seemingly healthy infant whose death remains unexplained even after, Complete and thorough examination, Proper clinical history, Investigation of scene and circumstances of the death, Complete autopsy. Low socioeconomic status 2 weeks-2 years age group. Male preponderance, 3-fold risk amongst premature twins. It occurs mostly in rainy & winter season.

DISCUSSION

Thorough and complete autopsy should be done with the advance tests of microscopy and bacteriology. In case of suspicion a very careful investigation is required at the end of pathologist, so as to rule out any criminal offence associated with child death.

Infanticide is a punishable offence under the section 315 of Indian penal code, which states infanticide as the act done with an intent to prevent child being born alive or to cause it to die after birth having period of imprisonment up to 10 years and will be charged with a fine.^[4]

Section 317 of IPC deals with abandoning by the father or mother of the child under the age of 12 years with imprisonment up to 7 years and with or without fine.^[5] Any person who secretly buries or disposes of the dead body of a child and intentionally conceals the birth of such child is punished with imprisonment of 2 years with or without fine under section 318 of IPC.^[6]

CONCLUSION

Infant mortality rate is relatively high in India, one of the major reasons is infanticide that is killing of child within 1 year of life. Infanticide is often done due to unwanted pregnancy or successive girl child. There is an urgent need to pay attention towards this matter as the facts and figures available in this context are really disturbing. Thorough investigation keeping

medical evidences in the mind is the most important factor in infanticide cases. The medico legal association will help to know the cause of death in the infants and may prevent this to some extent in future.

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