
FROM MORTUARY TO COURTROOM: THE EVIDENTIARY VALUE OF POSTMORTEM REPORTS IN CRIMINAL TRIALS

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ABSTRACT

The postmortem examination occupies a significant position at the intersection of forensic science and criminal law, particularly in cases involving suspicious, unnatural, sudden, or violent deaths. A postmortem report provides scientific observations relating to the cause, manner, and approximate time of death and may assist investigating agencies and courts in reconstructing the circumstances surrounding a death. From the mortuary to the courtroom, the information contained in such reports can become an important component of the evidentiary chain in criminal trials. However, its evidentiary significance depends upon the competence of the medical expert, the quality of the examination, proper documentation, preservation of forensic material, and the manner in which the report is interpreted alongside other evidence.

This article examines the legal and evidentiary value of postmortem reports in criminal trials, with particular reference to the Indian legal framework. It analyses the relationship between postmortem findings, expert medical opinion, eyewitness testimony, circumstantial evidence, and other forms of forensic evidence. The study also considers the distinction between the postmortem report as a documentary record of medical findings and the oral evidence of the doctor who conducted the examination. Particular attention is given to situations where medical evidence appears to conflict with ocular testimony and to the principles applied by courts in determining whether such contradictions are material to the prosecution's case.

The article further explores the limitations of postmortem evidence, including errors in estimating the time of death, difficulties in determining the precise cause or manner of death, decomposition of the body, inadequate facilities, improper preservation of samples, and deficiencies in forensic documentation. It argues that although postmortem reports are scientifically valuable, they should not ordinarily be treated as conclusive proof of guilt or innocence. Their evidentiary worth must be assessed in conjunction with the totality of circumstances and the other evidence placed before the court. Judicial appreciation of medical evidence therefore requires a careful balance between scientific findings and the broader evidentiary record.

1. INTRODUCTION

Death is an inevitable biological event, but the determination of the circumstances in which a person has died is a matter of considerable legal significance, particularly where the death is sudden, unnatural, suspicious, or allegedly caused by another person. In criminal investigations, the determination of the cause, manner and approximate time of death may constitute an essential link in establishing the circumstances of an offence. In this context, postmortem examination occupies an important position at the intersection of forensic medicine and criminal law. A postmortem examination enables a medical practitioner or forensic pathologist to systematically examine the deceased body, identify injuries and pathological conditions, collect biological samples and form an expert medical opinion regarding the cause and manner of death¹.

A postmortem report is the formal medical record prepared following the examination of a dead body. It generally contains observations relating to external and internal injuries, fractures, haemorrhage, damage to internal organs, signs of poisoning, pathological conditions and other relevant findings. Such findings may assist the investigating agency in reconstructing the circumstances surrounding the death and may subsequently assist the court in appreciating the prosecution and defence evidence. In cases of homicide, for example, the nature, location and characteristics of injuries may provide important information concerning the probable weapon, mechanism and force involved in causing death².

The evidentiary significance of postmortem reports in India must be understood within the framework of the Bharatiya Sakshya Adhiniyam, 2023. Section 39 recognises the relevance of opinions of experts where the court is required to form an opinion upon a matter involving specialised knowledge in science, art, foreign law, handwriting, fingerprints or other recognised fields. Medical and forensic evidence consequently assumes importance where the determination of the cause or manner of death requires specialised scientific knowledge³. The statutory recognition of expert opinion reflects the principle that courts may seek assistance from persons possessing specialised knowledge when ordinary judicial experience is

¹ R.K. Sharma, *Forensic Medicine and Toxicology: Principles and Practice*, 3rd ed. (Jaypee Brothers Medical Publishers, New Delhi, 2020).

² K.S. Narayan Reddy & O.P. Murty, *The Essentials of Forensic Medicine and Toxicology*, 35th ed. (K. Suguna Devi, Hyderabad, 2020).

³ Bharatiya Sakshya Adhiniyam, 2023, No. 47 of 2023, s. 39.

insufficient to determine a particular scientific or technical question.

2. CONCEPT AND PURPOSE OF POSTMORTEM EXAMINATION

Postmortem examination, commonly known as an autopsy, is the systematic medical and scientific examination of a deceased person's body after death. It is undertaken primarily to determine the cause of death, manner of death and, where possible, the approximate time since death. In cases involving sudden, unexpected, suspicious, unnatural or violent death, postmortem examination assumes particular importance because it may reveal injuries, pathological conditions, poisoning or other findings that cannot be established through external observation alone⁴. It therefore constitutes an important component of forensic investigation and serves as a bridge between medical science and the administration of criminal justice.

The fundamental concept underlying a postmortem examination is that death may leave physical and pathological traces in the human body. A systematic examination of those traces enables the forensic pathologist to formulate an expert opinion concerning the circumstances surrounding death. The examination normally includes a detailed external examination of the body, followed by an internal examination of the head, neck, thorax, abdomen and relevant organs. Depending upon the circumstances, additional investigations such as histopathology, toxicology, microbiology, radiology and DNA analysis may also be undertaken⁵. Consequently, the postmortem examination is not merely an examination of the corpse but a scientific process of evidence collection and interpretation.

3. MEANING AND NATURE OF POSTMORTEM EXAMINATION

The term “postmortem” literally means “after death.” A postmortem examination is a medical examination conducted after death for the purpose of determining the cause and circumstances of death. In forensic medicine, it is particularly concerned with deaths that may have legal implications. J.P. Modi describes forensic postmortem examination as an examination conducted by a medical practitioner under legal authority to determine the cause of death and to provide information relevant to a judicial inquiry⁶.

⁴ J.P. Modi, *A Textbook of Medical Jurisprudence and Toxicology*, 26th ed. (LexisNexis, New Delhi, 2021).

⁵ K.S. Narayan Reddy & O.P. Murty, *The Essentials of Forensic Medicine and Toxicology*, 35th ed. (K. Suguna Devi, Hyderabad, 2020).

⁶ J.P. Modi, *A Textbook of Medical Jurisprudence and Toxicology*, 26th ed. (LexisNexis, New Delhi, 2021).

A forensic autopsy differs from a purely clinical or pathological autopsy. A clinical autopsy is generally performed to study disease processes and evaluate the accuracy of diagnosis or treatment, whereas a medico-legal autopsy is conducted in circumstances where the death may have legal significance. The latter is generally performed at the request of the investigating authority or other competent authority and focuses not only on the medical cause of death but also on findings that may assist in determining the manner and circumstances of death⁷.

In India, postmortem examination forms part of the broader medico-legal investigation of unnatural and suspicious deaths. The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) provides the procedural framework for inquiry into cases of death occurring under circumstances requiring investigation. The examination of the body and collection of medical evidence must consequently be understood as part of a larger investigative process involving the police, medical professionals, forensic laboratories and ultimately the courts⁸.

4. OBJECTIVES OF POSTMORTEM EXAMINATION

The primary purpose of a postmortem examination is to establish the cause of death. Cause of death refers to the disease, injury or pathological condition that directly or indirectly resulted in death. In a suspected homicide, for example, the cause may be a head injury, stab injury, firearm injury, strangulation or other fatal trauma. In poisoning cases, toxicological examination may be required to identify the substance responsible for death⁹.

A second important objective is to determine the manner of death. The manner generally refers to the circumstances in which the cause of death operated and is commonly classified as natural, accidental, suicidal, homicidal or, in some systems, undetermined. Although the medical examination provides important information, the final determination of manner may require consideration of investigative and circumstantial evidence in addition to medical findings¹⁰.

A further objective is to estimate the time since death. The forensic pathologist may consider factors such as postmortem cooling, rigor mortis, livor mortis, decomposition and other

⁷ R.K. Sharma, *Forensic Medicine and Toxicology: Principles and Practice*, 3rd ed. (Jaypee Brothers Medical Publishers, New Delhi, 2020).

⁸ Bharatiya Nagarik Suraksha Sanhita, 2023, No. 46 of 2023, provisions relating to inquiry into deaths and medical examination.

⁹ K.S. Narayan Reddy & O.P. Murty, *The Essentials of Forensic Medicine and Toxicology*, 35th ed. (K. Suguna Devi, Hyderabad, 2020).

¹⁰ J.P. Modi, *A Textbook of Medical Jurisprudence and Toxicology*, 26th ed. (LexisNexis, New Delhi, 2021).

biological changes. However, estimation of the time since death is generally approximate rather than exact because it can be affected by environmental temperature, clothing, body condition, illness and other variables¹¹. Courts should therefore exercise caution in treating an estimated time of death as an exact scientific determination.

Postmortem examination also assists in the identification and documentation of injuries. The location, size, shape, depth and characteristics of injuries may help determine the nature of the force or weapon involved. Sharp-force injuries, blunt-force injuries, firearm injuries, burns and injuries associated with strangulation may display characteristic features that can assist investigators in reconstructing the circumstances of an alleged offence¹². Such findings may also be compared with the alleged weapon or mechanism of injury.

5. COLLECTION AND PRESERVATION OF FORENSIC EVIDENCE

Another important purpose of postmortem examination is the collection and preservation of forensic material. During autopsy, samples such as blood, viscera, tissues, hair, nails, swabs and foreign materials may be collected depending upon the circumstances of the death. Such materials may subsequently undergo toxicological, histopathological, serological or DNA analysis¹³. Proper collection, labelling, sealing and preservation of these materials are essential because the reliability of subsequent forensic examination depends substantially upon the integrity of the samples.

The concept of chain of custody is particularly important in this regard. Biological and other forensic samples collected during autopsy must be properly documented and securely transferred to the appropriate forensic laboratory. Any unexplained break in the chain of custody may raise questions regarding the integrity and reliability of the evidence. Therefore, the postmortem examination is simultaneously a medical procedure and an important stage in the preservation of potential legal evidence.

6. ROLE IN CRIMINAL INVESTIGATION

Postmortem examination plays a significant role in the investigation of offences involving

¹¹ Bernard Knight, *Simpson's Forensic Medicine*, 13th ed. (Hodder Arnold, London, 2011).

¹² R.K. Sharma, *Forensic Medicine and Toxicology: Principles and Practice*, 3rd ed. (Jaypee Brothers Medical Publishers, New Delhi, 2020).

¹³ K.S. Narayan Reddy & O.P. Murty, *The Essentials of Forensic Medicine and Toxicology*, 35th ed. (K. Suguna Devi, Hyderabad, 2020).

death. The findings may assist investigators in determining whether a death appears natural or unnatural and may help identify the possible mechanism of death. For instance, the presence of ligature marks, defence injuries, multiple wounds, fractures or particular patterns of trauma may provide investigative leads. The postmortem findings may also be compared with the statements of witnesses and other evidence collected during investigation¹⁴.

Medical evidence, however, should not be considered in isolation. The Supreme Court of India has consistently held that medical evidence ordinarily performs a corroborative function, although in appropriate circumstances it may assume greater significance where it renders the prosecution version scientifically impossible or highly improbable. In *Solanki Chimanbhai Ukabhai v. State of Gujarat*, the Supreme Court observed that medical evidence is primarily opinion evidence and that the court must evaluate it along with the other evidence on record¹⁵.

Similarly, in *State of Uttar Pradesh v. Krishna Gopal*, the Supreme Court emphasised that scientific or medical evidence should be appreciated in the context of the entire evidentiary record and that minor inconsistencies between ocular and medical evidence do not automatically destroy the prosecution case¹⁶. The court must determine whether the inconsistency is fundamental and irreconcilable or merely a minor discrepancy capable of being explained.

7. POSTMORTEM EXAMINATION AND JUDICIAL PROCEEDINGS

The ultimate significance of a postmortem examination in criminal justice arises when its findings are presented before a court. The postmortem report may provide important information concerning the nature and severity of injuries, the cause of death and other medical findings. However, the report does not ordinarily constitute conclusive proof of the circumstances of death. The medical officer who conducted the examination may be examined as an expert witness, enabling the court to understand the findings recorded in the report and the medical reasoning underlying the conclusions.

Under Section 39 of the Bharatiya Sakshya Adhiniyam, 2023, opinions of persons specially skilled in science or other recognised fields are relevant when the court has to form an opinion

¹⁴ Id.

¹⁵ *Solanki Chimanbhai Ukabhai v. State of Gujarat*, (1983) 2 SCC 174.

¹⁶ *State of Uttar Pradesh v. Krishna Gopal*, (1988) 4 SCC 302.

upon matters requiring such specialised knowledge¹⁷. Consequently, the medical opinion arising from a postmortem examination may assist the court in determining scientific questions relating to death and injury.

The postmortem examination thus occupies a distinctive position in the criminal justice process. It begins as a scientific examination of the deceased body but may ultimately become an important source of evidence in judicial proceedings. Its effectiveness depends upon scientific methodology, professional competence, accurate documentation, proper preservation of samples and appropriate judicial appreciation.

8. IMPORTANCE OF POSTMORTEM EXAMINATION IN THE ADMINISTRATION OF JUSTICE

The importance of postmortem examination extends beyond establishing the immediate cause of death. It may help to confirm or contradict the prosecution version, identify previously unnoticed injuries, detect poisoning, assist in identification, establish the nature of violence and provide scientific support for reconstruction of the incident¹⁸. In cases where direct evidence is unavailable, these findings may become particularly significant in evaluating circumstantial evidence.

At the same time, the scientific limitations of forensic pathology must be recognised. The estimation of time since death, determination of manner of death and interpretation of certain injuries may involve a degree of uncertainty. Therefore, postmortem findings should be presented with appropriate scientific caution and should not be exaggerated beyond what the medical evidence can actually establish.

9. CONCLUSION

postmortem examination is a fundamental component of medico-legal investigation. Its principal purposes are to determine the cause and manner of death, estimate the time since death, document injuries and pathological findings, collect forensic material and assist the criminal justice system in establishing the circumstances surrounding death. When properly

¹⁷ Bharatiya Sakshya Adhiniyam, 2023, No. 47 of 2023, s. 39.

¹⁸ J.P. Modi, *A Textbook of Medical Jurisprudence and Toxicology*, 26th ed. (LexisNexis, New Delhi, 2021).

conducted and judicially evaluated alongside other evidence, postmortem examination can substantially contribute to the discovery of truth and the fair administration of criminal justice.