



RELEVANCE OF SEMEN SAMPLE IN SEXUAL ASSAULT INVESTIGATION

U. K .Kulkarni¹, K.V. Kulkarni¹, R. K. Pardeshi² and D.V. Mane*³

¹Forensic Science Laboratory, Govt. of Maharashtra, Mumbai.

²Dept. of Chemistry, Sant Ramdas College, Ghansangvi Dist. Jalna (M.S) India.

³Dept. of Chemistry, Dr. Babasaheb Ambedkar Marathwada University, Aurangabad.

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*Correspondence for

Author

D.V. Mane

Dept. of Chemistry, Dr.
Babasaheb Ambedkar
Marathwada University,
Aurangabad

dvmane11@gmail.com

ulkakulkarni97@yahoo.com

ABSTRACT

Among all the crimes, sex related crimes are most barbarous and humiliating. Rape is considered to be the most obnoxious and gravest form to human right violation. A large number of cases received in forensic science laboratory involve sexual assault cases, making it necessary to examine the exhibits for the presence of seminal fluids. In the sexual assault cases, when the suspected or alleged accused is medically examined by the doctors on the request of investigating officer, collection of semen sample has been sent to FSL for the identification of blood group. This may cause wastage of time and resources of health and home department and delay in disposal of cases leading to backlog and huge burden on forensic analyst and police. So there is a need to debate and discussion with investigating officers and

doctors about the relevance of semen collection of accused. The objective of this paper is to discuss the purpose and relevance of collection of semen of alleged accused and furthermore, this paper focuses on the primary data which is related to sexual assault cases.

KEYWORDS: Seminal fluids, semen, sexual assault.

INTRODUCTION

Sexual violence is a tragedy, a serious human right violation and a significant problem. It occurs frequently in India. Investigation of such cases is a great challenge to forensic science laboratory. Forensic science is very important. Forensic science is a valuable tool for opening the mysteries of such type of cases. But there is a need for early medical examination along with proper collection of forensic evidences. So that forensic expert does not face the

problems. This study doesn't present the whole range of problems that exists in the forensic investigation. Instead, it discusses the purpose and relevance of collection of semen of the alleged accused of rape cases. Also author wants to highlight on some queries. The police officials/doctors ask various queries in their requisition letter. Out of these queries following queries need urgent attention.

Semen sample for chemical analysis.

Detection of spermatozoa in Semen.

Semen for DNA analysis

MATERIALS AND METHODS

The current study was carried out at Directorate of Forensic science laboratory Biology Division, State of Maharashtra. 406 sexual assault cases were examined; out of these cases, 135 semen sample were found. A standard protocol was prepared which include ABO blood grouping and microscopic examination of samples of sexual assault cases. ABO blood grouping of samples were done by absorption and elution method. After full analysis, some observations were to be found.

RESULT AND DISCUSSION

1. In some cases, semen samples were found to be in little quantity.
2. In some cases, the said semen sample bottles were observed to be empty.
3. The said semen samples which are collected from the accused during the medical examination by the doctors were utilized for the purpose of blood grouping. In some cases it was used to confirm the presence of semen and human spermatozoa which is no use for the offence of rape. It is not under stable why to analyze the collected semen sample for the further confirmation. of it.^[1]
4. In most of the cases both blood and semen sample of accused was collected and both were utilized for the same purpose i.e. to detect the blood group.. This suggests that analyzing the two samples from the single person for the same purpose is clear wastage of time, money and resources of government.^[2]
5. Whether the person is azospermic, can be verified by Govt. medical officers, as to check the presence of spermatozoa in semen sample is not the job of forensic Biologist.
6. The secretor and nonsecretor status of body fluids like semen hampers the success rate of conclusive blood group determination.^[3]

7. Depending upon the time, that has passed since the crime, male reproductive cells may be alive and motile (free moving) or dead. The motile cells indicate relatively recent sexual assault contact. A major distinction must be made between the microscopic examination for the motile cells, typically conducted immediately following the medical examination of a victim, and the normal analysis for the spermatozoa in the forensic laboratory. The forensic laboratory doesn't usually encounter motile spermatozoa in its serological analysis. The serologist exclusively deals with dried stains and non-motile cell. Microscopic examination of motile spermatozoa is best accomplished by a physician.^[4]
8. The blood group of biological samples which were sent by the medical officers showed only 19% of conclusive blood group, because these samples were collected within two days of offence time interval between offence and forensic examination shows insignificant reporting. This delay in reporting the cases of sexual assault thereby resulting in loss of valuable Forensic evidence is one of the main reason behind low conviction rate.^[5-7]
9. During analyzing the sexual assault cases, on the exhibit such as cloths, once semen has been identified, it can be analyzed by DNA. Or for chemical substances that will indicate ABO blood grouping. Thus it is not under stable that why to analyze the collected semen sample for the same purpose i.e. to detect the blood grouping ?
10. After whole analysis of sexual assault cases, we observed that 56% of known blood samples showed conclusive blood group, 24% of blood stains (which were observed on cloths of victim and accused) showed conclusive blood group, 12% of semen stains showed conclusive blood grouping. 5% of nails and hairs samples showed conclusive blood group, and only 3% of said semen sample showed conclusive blood grouping.
11. From the study it has been observed that collection of said semen sample shows minimum % age of blood group. so it causes clear wastage of time and money.

Time Interval between Offence and Examination

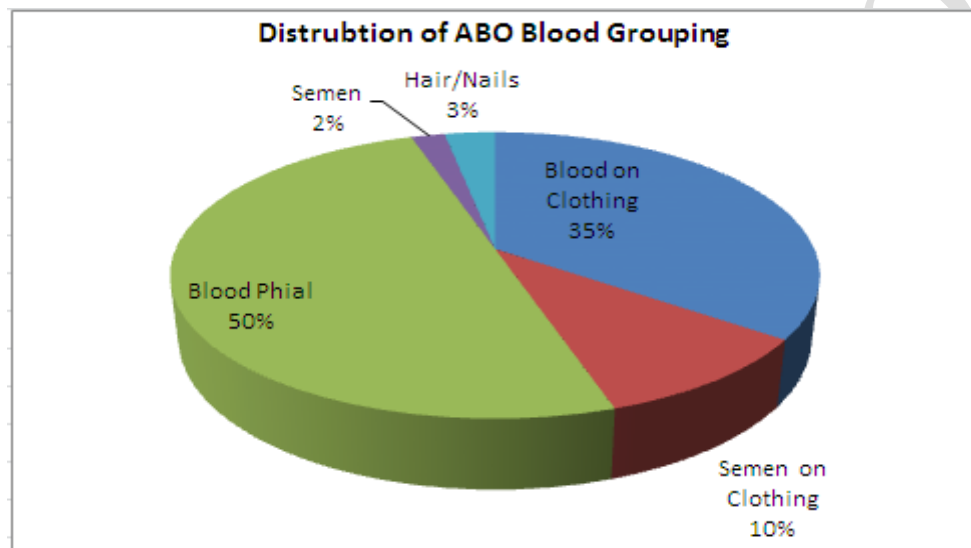
Table 1. A] From Medical Officer

Sr.No.	Period of Exhibit collection	% of Cases Total	Positive	Negative
1	Exhibit collected within two days of offence	29%	19%	10%
2	Exhibit collected within two to ten days of offence	28%	02%	26%
3	Exhibit collected after ten days of offence	43%	-	43%

Table 2

B) From Investigating Officers

Sr.No.	Period of exhibit collection	%of Cases Total	Positive	Negative
1	Exhibit collected within two days of offence	72%	22%	50%
2	Exhibit collected within two to ten days of offence	151%	36%	115%
3	Exhibit collected after ten days of offence	183%	28%	155%
Total		406%	86%	320%

**CONCLUSION**

Sexuality is one of the more complex aspects of human experience. It is one of the most prevalent and fast growing crime affecting all nation. Medical examination is a crucial piece of information which is required for collection of medical evidences for forensic investigation. So there is a need to take steps to improve the present situation and to bring some uniformity for the collection of forensic evidence.

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