
UNIT 6 VETERINARY JURISPRUDENCE – AN OVERVIEW

Structure

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6.1 LEARNING OUTCOMES

- a) Knowledge and Understanding:** After studying this Unit, you will be able to:
- Explain the concept of veterinary jurisprudence.
 - Understand the functions and structure of courts in India.
 - Know important sections of Indian Penal Code.
- b) Practical and Professional Skills:** After studying this Unit, you will be able to:
- Describe the Vetro-legal aspects of a wound.
 - Summarize the post-mortem examination of Vetro-legal case.

6.2 INTRODUCTION

Dear Learner,

Veterinary jurisprudence, veterinary forensic medicine and veterinary legal medicine are the terms used synonymously for that branch of veterinary medicine

which covers the application of the principles and knowledge of veterinary medicine for the purpose of law - both civil and criminal.

Veterinary jurisprudence is necessary for a veterinarian to be familiar with common laws like a member of any other profession. To perform her/his duties effectively and efficiently he/she must be well acquainted with the rules affecting privileges and obligations in veterinary practice. It is very essential that a veterinarian working in government or private practice has a fair knowledge of all subjects of veterinary science and a thorough knowledge of legal procedure in the criminal court to deal with various vetero-legal problems.

In MAW-001 (Unit 22) we discussed the general roles of veterinarians in animal welfare. In this unit, you will be introduced to the specific role of veterinarians in the vetero-legal cases i.e. legal aspects of the animal welfare.

6.3 JUDICIAL PROCEDURES

The Indian Judicial System has three basic tiers (Fig.6.1).

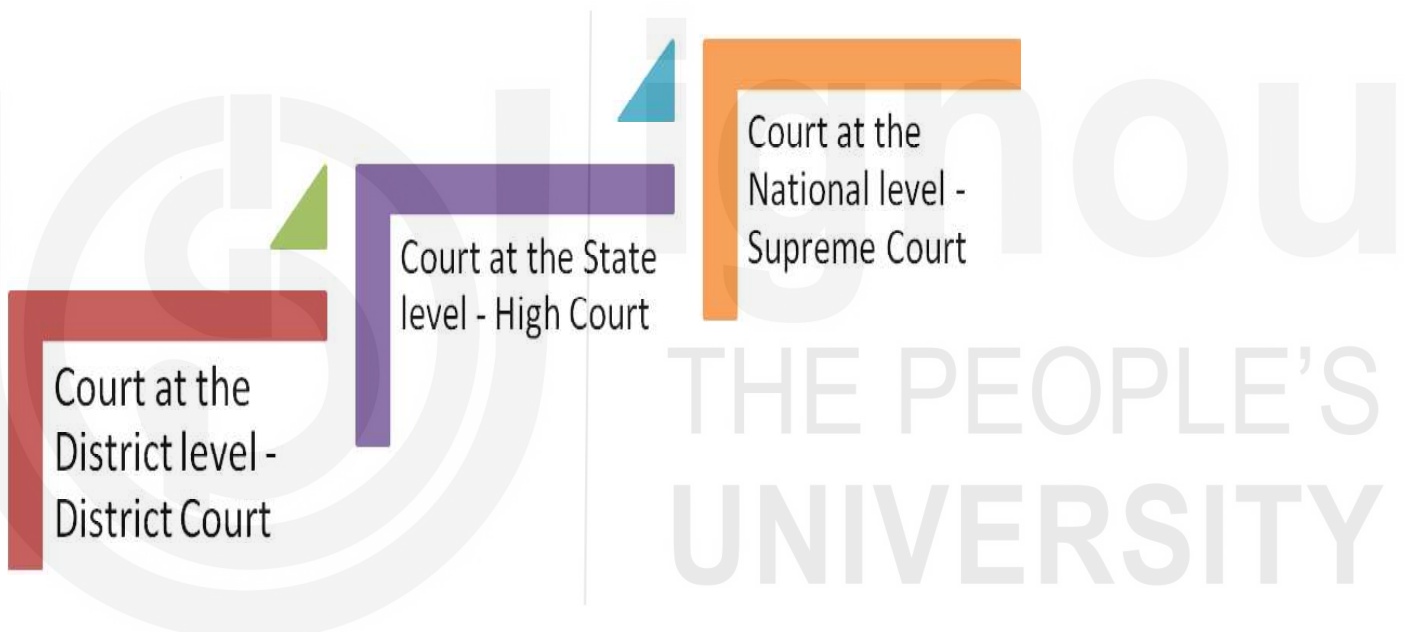


Fig. 6.1: Three basic tiers of Indian judicial system

6.3.1 Functions of the Court

Various functions of the court are depicted in Fig. 6.2.



Fig. 6.2: Functions of the court

6.3.2 Structure of Courts in India

The classification of courts in India is presented in Fig. 6.3.

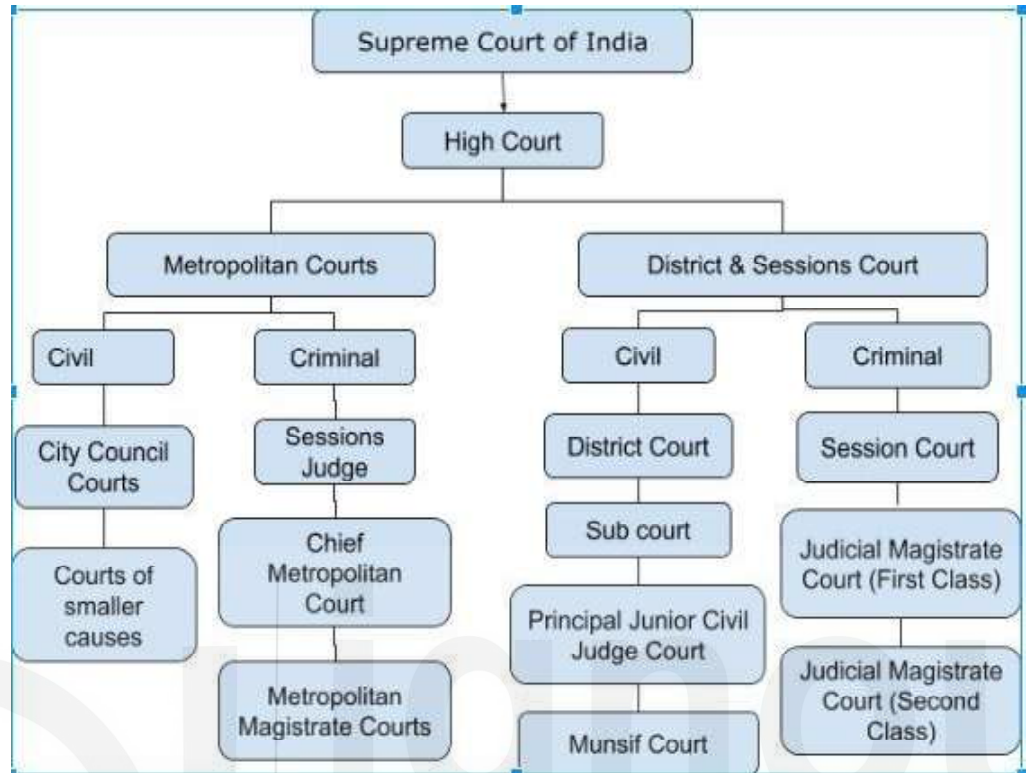


Fig.6.3: Classification of courts in India (Source: Singh, 2019)

6.3.3 Commonly Used Terms in Court

- a) **Subpoena (Summons):** A document compelling the attendance of a witness in a court of law under a penalty.
- b) **Warrant:** An order issued by a competent magistrate authorizing an officer to make arrest, a seizure or a search or do any other act incidental to the administration of justice.
- c) **Cognizable Offence:** An offense for which a police officer may arrest without warrant.
- d) **Arrest:** Ordinarily means the apprehension or restraint to the deprivation of one's personal liberty.
- e) **Inquest:** An inquiry in respect of anybody lying dead.
- f) **Oath:** Solemn affirmation substituted by law for an oath and any declaration required or authorized by law to be made before a public servant or to be used for the purpose of proof, whether in a Court of Justice or not.
- g) **Evidence:** All statements which court permits or require to be made before it by a witness in relation to matters under investigation. It includes:
 - Oral evidence
 - Documentary evidence (e.g. Veterinary report)
 - Examination of exhibits, electronic records

6.3.4 Process of Prosecution

The complainant has to lodge a report at the nearest police station mentioning the names of culprits and witnesses. The veterinarian on the request from police, examine the inferred/dead animal and give his/her report to the police after entering in the vetero-legal register.

i) Procedure for recording the evidence

- a) Examination in chief
- b) Cross examination
- c) Re-examination
- d) Questions by the judge

ii) Hints for giving evidence

- 1) Verify the facts of the case
- 2) Speak slowly and clearly
- 3) Use simple language and avoid technical terms.
- 4) Be brief – Yes or No answer
- 5) If unable to answer any question – say “I cannot answer”
- 6) Do not lose your temper
- 7) Express your opinion and avoid quotation from books.
- 8) Study available literature before giving evidence in the Court

Before we proceed, please complete activity 1.

Activity 1 (Visit & Discussion): Visit a nearby veterinarian and discuss about a recent vetero-legal case related to animal welfare handled. Write the outcome of the discussion.

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Check Your Progress 1

Note: a) Use the spaces given below for your answers.

b) Check your answer with those given at the end of the unit.

1) Write the functions of a court.

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2) Name different types of courts in India.

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6.4 VETERO-LEGAL ASPECTS OF WOUND

6.4.1 Types and Examination of Wounds

Wound is a break in any tissues of the body. It can be a simple wound or dangerous wound or a fatal wound. Wounds are of two types in general:

- a) Closed wounds - No break in the continuity of skin, but underlying soft tissues are damaged (*Example:* Contusion, bruise, haematoma).
- b) Open wounds - Break in the skin and or tissue of the body (*Example:* Incised, lacerated, stab and gunshot wounds).

Examination of wounded animal and its recording is summarised in Table 6.1.

Table 6.1: Examination of wounded animal

<i>Examination</i>	<i>Recording</i>
a) Nature of injury	Wound, bruise, burn, etc.
b) Description of wound	
i) Type	Incised, lacerated, stab, etc.
ii) Number	One, two or many
iii) Size	Size of each injury in inches
iv) Direction	Explain the direction of the wound
v) Blood clots	Present or absent
vi) Condition of edges	Presence of gaping or not

vii) Inflammatory reaction	Present (swelling, pus, etc.) or absent
c) Fracture Type of fracture	Present or not If there is fracture, then explain the type of fracture
d) Foreign bodies	Present or absent
e) Nature of the weapon used	Kind of weapon used Nature and velocity of the projectile Direction and the range at which the weapon was fired. Part of the body struck.
Remarks	

Age of injuries can be decided on the basis of nature of haemorrhage, inflammation and wound healing nature.

The difference between *ante-mortem* and *post-mortem* wounds, causes of death due to wounds, examination and procedure for collection of blood stains are presented in Tables 6.2 to 6.5.

Table 6.2: Difference between *ante-mortem* and *post-mortem* wounds

<i>Signs</i>	<i>Ante-mortem</i>	<i>Post-mortem</i>
<i>Haemorrhage</i>		
Arterial haemorrhage in wounds	Copious	No haemorrhage, sometimes light venous bleeding
Clotting of blood	Clotted	Not clotted
Spouting of blood from arteries	Yes	No
<i>Inflammation</i>		
Signs of inflammation and reparative processes	Present	Absent
<i>Wound healing</i>		
Retraction of edges of wound	Gaping of the edges	No gaping of the edges

Table 6.3: Causes of death due to wounds

<i>Type</i>	<i>Etiology</i>	<i>Example</i>
Direct	Haemorrhage Injury to vital organ Shock	Internal or external Injury to lung or heart Severe blow on head or heart
Indirect	Inflammation, septicemia, necrosis	Tetanus infection gaining entry through wound

Table 6.4: Examination of blood stains

<i>Examination of blood stain</i>	<i>Possible cause</i>
Blood streaks	Venous blood
Splashes	Projection of arterial blood
Pools of blood	Abundant haemorrhage
Circular stains	Drops of blood fall from a height
Smears	Blood is wiped off

Table 6.5: Procedure for collection of blood stains

<i>Stains</i>	<i>Collection procedure</i>
Stains from persons and animals	Take a piece of filter paper soaked in normal saline solution. The paper is left in contact until it is coloured, then removed and dried.
In case of garments and weapons	The articles should be allowed to dry, then carefully pack them.
Liquid stains	Collect the blood in dry test tubes with the help of a dropper. The test tubes are sealed and kept in ice container.
Blood-soaked soil	Take it up completely, send it in a glass container.
If the stains lie on non-removable objects such as walls and floors	A representative section that contains the stain is removed by digging out and sent in a container. In exceptional cases, a knife can scrap stains up.

6.4.2 Wound Certificate

The format for wound certificate is given in Box 6.1.

Box.6.1: Format of Wound Certificate	
No.....	Date:
This is to certify that at the request ofI have this day examined..... having the following identification marks belonging to	
The animal has got the following injuries on its body:	
I am of the opinion that	
Place:	Signature and Designation

6.4.3 Vetero-Legal Aspects of Animal Death

The general causes of sudden death in animals (single and group) are presented in Table 6.6.

Table 6.6: Causes of death in animals

<i>Causes of sudden death in single animal</i>		
<i>Etiology</i>	<i>Condition</i>	<i>Species</i>
Spontaneous internal haemorrhage	<ul style="list-style-type: none"> - Cardiac tamponade - Ruptured aorta or atrium - Intestinal hemorrhagic syndrome - Guttural pouch mycosis leading to rupture of blood vessels 	<ul style="list-style-type: none"> - Cattle - Horse - Pig - Horse
Per-acute toxemia i) Endogenous ii) Exogenous	<ul style="list-style-type: none"> - Rupture of stomach - Rupture of colon - Rupture of (at foaling) abomasum - Snake bite (poisonous) 	<ul style="list-style-type: none"> - Horse - Mare - Cow - All species
Trauma	- Fighting, fall from height, collision	- All species
Gastro intestinal conditions	<ul style="list-style-type: none"> - Gastric rupture - Bloat 	<ul style="list-style-type: none"> - Horse - Cattle
Iatrogenic deaths	- Rapid intravenous infusion of calcium, infusion of procaine penicillin and ivermectin, etc.	<ul style="list-style-type: none"> - Cattle - Horse
<i>Causes of sudden death in group of animals</i>		
Lightning strike or electrocution	<ul style="list-style-type: none"> - Thunder storm or - Short circuiting of electric current 	- All species
Deficiency disorders	- Hypomagnesaemia	- Cattle
Poisoning	- Cyanide or nitrate poisoning	- All species
Diseases caused by infectious agents	<ul style="list-style-type: none"> - HS - HS, BQ, enterotoxaemia - Colitis - Mulberry heart disease - Colibacillosis 	<ul style="list-style-type: none"> - Buffalo - Sheep - Horse - Pig - Calves
Anaphylaxis	Vaccination is done in a herd	- Herd

Signs of Death

- a) Cessation of circulation and respiration
- b) Cooling of the body
- c) Primary flaccidity
- d) Changes in eye
- e) *Rigor mortis*
- f) Secondary flaccidity
- g) Putrefaction
- h) Adipocere
- i) Mummification
- j) Consumption by insects and other animals

6.5 POST-MORTEM EXAMINATION OF VETERO-LEGAL CASE

The post-mortem (PM) examination is done to ascertain the cause of death.

6.5.1 Rules for PM Examination

- a) Vetero-legal PM examination should be only undertaken after receiving inquest report from police or District Magistrate.
- b) Read the inquest report carefully.
- c) Inquest report should mention the place where the body was found and its surroundings.
- d) Record the time and date of arrival of carcass.
- e) PM examination should be complete and done in day light.
- f) All the details of PM examination observed by the veterinary officer should carefully noted in the PM report on the spot.
- g) All the relevant papers along with the inquest form should be sent back to the police along with the PM report.

6.5.2 PM Artefacts

Due to these artefacts, there can be an error in concluding the cause of death which may result in injustice. Artefacts include:

- a) Putrefaction
- b) Environmental artefacts – e.g. burning, corrosions and macerations
- c) Third party artefacts
- d) Miscellaneous artefacts

6.5.3 Collection of Specimens for Suspected Poisonings

In suspected cases of poisoning, the stomach and upper part of the intestine with its contents, a portion of liver, kidney and spleen should be collected in a wide mouthed bottle and sent to the forensic laboratory.

The details to be given in PM report is summarised in Box 6.2.

Box 6.2: Post Mortem Report	
Contributor	
Date & Time	
Address	
Approximate time since death	
Owner's name & Address	
Species / Breed	
Sex / Age	
Identification marks:	
External Examination	
<ul style="list-style-type: none"> • General condition of carcass • Nature and position of injuries • State of natural orifices 	
Internal Examination	
<ul style="list-style-type: none"> • Head and Neck • Cardiovascular system • Respiratory system • Gastrointestinal tract • Urinary system • Genital system (Male/Female) • Udder and teats • Skin and Musculature • Bones and joints • Any other 	
Opinion (cause of death):	
Place :	Signature
Date :	Qualification & Designation

6.6 INDIAN PENAL CODE

In Unit 1, we discussed few Indian Penal Code (IPC) sections related to animal welfare. In this section, more IPC sections applicable to the veterinary jurisprudence are summarised in Table 6.7.

Table 6.7: IPC sections applicable to the veterinary jurisprudence

IPC Section	Details
Section 44	The word “injury” denotes any harm whatsoever illegally caused in body, mind, reputation or property.

Section 47	The word “animal” denotes any living creature, other than a human being.
Section 51	The word “oath” includes a solemn affirmation substituted by law for an oath, and any declaration required or authorized by law to be made before a public servant or to be used for the purpose of proof, whether in a Court of Justice or not.
Section 53	<p>The punishments to which offenders are liable under the provisions of this Code are:</p> <p>First – Death</p> <p>Second – Transportation</p> <p>Third – The words “penal servitude” were omitted</p> <p>Fourth – Imprisonment, which is of two descriptions, namely:</p> <ul style="list-style-type: none"> – Rigorous, that is, with hard labour – Simple <p>Fifth – Forfeiture of property;</p> <p>Sixth – Fine</p>
Section 192	Whoever causes any circumstances to exist or make any false entry in any book or record, or makes any document containing a false statement, intending “to fabricate false evidence”.
Section 193	Whoever intentionally gives false evidence in any stage of a judicial proceeding, or fabricates false evidence for the purpose of being used in any stage of a judicial proceeding, shall be punished with imprisonment and shall also be liable to fine.
Section 197	Whoever issues or signs any certificate required by law to be given or signed, or relating to any fact of which such certificate is by law admissible in evidence, knowing or believing that such certificate is false in any material point, shall be punished in the same manner as if he gave false evidence.
Section 271	Whoever knowingly disobeys any rule made and promulgated by the Government for putting any vessel into a state of quarantine or for regulating the intercourse of vessels in a state of quarantine with the shore or with other vessels, or for regulating the intercourse between places where an infectious disease prevails and other places, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.
Section 272	Whoever adulterates any articles of food or drink, so as to make such article noxious as food or drink intending to sell

	such articles as food or drink or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment or with fine or with both.
Section 274	Whoever adulterates any drug or medical preparation in such a manner as to lessen the efficacy or change the operation of such drug or medical preparation, or to make it noxious, intending that it shall be sold or used for, or knowing it to be likely that it will be sold or used for, any medicinal purpose, shall be punished with imprisonment or with fine or with both.
Section 276	Whoever knowingly sells, or offers or exposes for sale, or issues from a dispensary for medicinal purposes, any drug or medical preparations, as a different drug or medical preparation, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.
Section 284	Whoever does, with any poisonous substance, any act in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any person, or knowingly or negligently omits to take such order with any poisonous substance in his possession as is sufficient to guard against probable danger to human life from such poisonous substances, shall be punished with imprisonment or with fine or with both.
Section 289	Whoever knowingly or negligently omits to take such order with any animal in his/her possession as is sufficient to guard against any probable danger to human life, or any probable danger of grievous hurt from such animal, shall be punished with imprisonment or with fine or with both.
Section 304A	Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide shall be punished with imprisonment or with fine or with both.
Section 326	Whoever, except in the case provided for by Section 335, voluntarily causes grievous hurt by means of any instruments for shooting, stabbing, or cutting, or any instrument which, used as a weapon of offence, is likely to cause death, or by means of fire or any heated substance, or by means of any poison or any corrosive substance, or by means of any explosive substance, or by means of any substance which is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with imprisonment or with fine or with both.
Section 377	Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be

	punished with imprisonment or with fine or with both. Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.
Section 420	Whoever cheats and thereby dishonestly induces the person deceived to deliver any property to any person, or to make, alter or destroy the whole or any part of a valuable security, or anything which is signed or sealed, and which is capable of being converted into a valuable security, shall be punished with imprisonment or with fine or with both. Simple cheating is punishable under Section 417. But where there is delivery or destruction of any property or alteration or destruction of any valuable security resulting from the act of the person deceiving, this section comes into operation.
Section 427	Whoever commits mischief and thereby causes loss or damage to the amount of fifty rupees or upwards, shall be punished with imprisonment or with fine or with both.
Section 428	Whoever commits mischief by killing, poisoning, maiming or rendering useless, any animal or animals of the value of ten rupees or upwards, shall be punished with imprisonment or with fine or with both.
Section 429	Whoever commits mischief by killing, poisoning maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, or any other animal of the value of fifty rupees or upwards, shall be punished with imprisonment or with fine or with both.
Section 430	Whoever commits mischief by doing any act which causes, or which he knows to be likely to cause, a diminution of the supply of water for agricultural purposes, or for flood or drink for human beings or for animals which are property, or for cleanliness or for carrying on any manufacture, shall be punished with imprisonment or with fine or with both.

Before we proceed, please complete activity 2.

Activity 2 (Interaction): In continuation of Activity 1 given in the previous section, discuss with the veterinarian about *post-mortem* report details in a vetero-legal case. Write your observations.

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Check Your Progress 2

Note: a) Use the spaces given below for your answers.

b) Check your answer with those given at the end of the unit.

1) What are the types of wounds in case of animals?

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2) How to proceed with the examination of a wounded animal?

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3) Difference between *ante-mortem* and *post mortem* wounds

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6.7 LET US SUM UP

- In this unit, you were introduced to the judicial procedure with special emphasis on the structure and functions of courts in India as well as the process of prosecution.
- The vetero-legal aspects of wound were discussed in detail covering aspects like the examination of the wound, difference in the *ante-mortem* and *post-mortem* wounds, causes of death due to wound and blood stains – its collection and testing, signs of death and wound certificate.
- This unit also helped you to understand the various aspects of *post-mortem* examination of vetero-legal case.
- Some of the important penal codes applicable to the veterinary jurisprudence were also dealt in brief.

6.8 KEYWORDS

Adipocere: Also known as corpse wax, grave wax or mortuary wax, is a greyish waxy substance formed by the decomposition of soft tissue in dead bodies subjected to moisture.

Ante-mortem: Before death.

Cadaver: A dead body used for medical or scientific purposes.

Flaccidity: Lacking firmness.

Haemorrhage: Release of blood from broken blood vessel either inside or outside the body.

Iatrogenic: Relating to illness caused by medical examination or treatment.

Inquest Report: A report made primarily to look into the causes of unnatural death.

Mummification: The process of preserving the body after death by deliberately drying or embalming flesh.

Necrosis: Death of body tissue; Death of cells or tissue through disease or injury.

Post-mortem: After death.

Putrefaction: Process of decay or rotting in a body or other organic matter.

Septicemia: A serious bloodstream infection; bacterial infection in the blood.

6.9 BIBLIOGRAPHY AND FURTHER READING

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6.10 SELF ASSESSMENT EXERCISES

- 1) Discuss the importance of veterinary jurisprudence.
- 2) Diagrammatically depict the structure of courts in India.
- 3) Differentiate between *ante-mortem* and *post-mortem* wounds.
- 4) List the signs of death.
- 5) What are the components of a *post mortem* report?

6.11 ANSWERS / HINTS TO CHECK YOUR PROGRESS

Check Your Progress 1

- 1) Functions of a court include ascertaining the meaning of law, declaration of a law as invalid, enforcement of the laws in real life situations and making laws on issues which are not covered by any written laws.
- 2) India follows a three-tier system of courts viz., District Court, High Court and Supreme Court.

Check Your Progress 2

- 1) Wounds may be simple that are non-life threatening, dangerous or fatal. Open wounds include incision, lacerated, stab and gunshot wounds while closed wounds show no break in the continuity of skin but underlying soft tissues are damaged.
- 2) A wounded animal examination starts by determining the nature of injury, whether it is a wound or a fracture or some infection. Detailed study on the type, number, size, direction of the wound and inflammatory reaction has to be noted down. If a weapon has been used, the kind of weapon used and its characteristics need to be ascertained.
- 3) *Ante-mortem* and *post mortem* wounds vary with respect to manifestations of haemorrhage, inflammation and wound healing. *Ante-mortem* wounds show blood clotting with signs of inflammation in contrast to post-mortem wounds that do not clot and show no inflammation. Gaping of the edges is visible in ante-mortem wound healing while no gaping of edges is seen in *post-mortem* wounding.