

Injury Report

Competency

- **FM14.1:** Examine and prepare Medicolegal report of an injured person with different etiologies in a simulated/supervised environment.

A doctor should be conversant with the following definitions and terms while writing an injury report.

Injury

As per **Section 2 (14) of Bharatiya Nyaya Sanhita (BNS) Act 2023**, injury means any harm whatsoever illegally caused to any person, in body, mind, reputation and property.

Hurt

As per **Section 114 of BNS Act 2023**, whoever causes bodily pain, disease or infirmity to any person is said to cause hurt.

Voluntarily Causing Hurt

As per **Section 115 BNS 2023**

1. Whoever does any act with the intention of thereby causing hurt to any person, or with the knowledge that he is likely thereby to cause hurt to any person, and does thereby cause hurt to any person, is said “voluntarily to cause hurt”.
2. Whoever, except in the case provided for by sub-section (1) of Section 122 voluntarily causes hurt, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to ten thousand rupees, or with both.

There is no legal definition of simple injury; however, it is used in place of hurt.

Wound is a breach in the natural continuity of a living tissue.

For practical purposes injury is classified as:

1. Simple injury; and
2. Grievous hurt.
 - a. **Simple injury** (not defined by the law) is one which is neither extensive nor severe and heals without leaving a permanent scar.
Examples—contusion and superficial abrasion, superficial incised wound.

b. Grievous hurt**As per Section 116 BNS Act 2023 (Grievous hurt).**

The following kinds of hurt only are designated as “grievous”, namely:

- a. Emasculation;
- b. Permanent privation of the sight of either eye;
- c. Permanent privation of the hearing of either ear;
- d. Privation of any member or joint;
- e. Destruction or permanent impairing of the powers of any member or joint;
- f. Permanent disfiguration of the head or face;
- g. Fracture or dislocation of a bone or tooth;
- h. Any hurt which endangers life or which causes the sufferer to be during the space of fifteen days in severe bodily pain, or unable to follow his ordinary pursuits

Section 117 BNS 2023 (Voluntarily causing grievous hurt)

1. Whoever voluntarily causes hurt, if the hurt which he intends to cause or knows himself to be likely to cause is grievous hurt, and if the hurt which he causes is grievous hurt, is said “voluntarily to cause grievous hurt”.

Explanation: A person is not said voluntarily to cause grievous hurt except when he both causes grievous hurt and intends or knows himself to be likely to cause grievous hurt.

2. But he is said voluntarily to cause grievous hurt, if intending or knowing himself to be likely to cause grievous hurt of one kind, he actually causes grievous hurt of another kind.

Section 118 BNS 2023 (Voluntarily causing hurt or grievous hurt by dangerous weapons or means)

1. Whoever, except in the case provided for by sub-section (1) of Section 122, voluntarily causes hurt by means of any instrument 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 it 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 of either description for a term which may extend to three years, or with fine which may extend to twenty thousand rupees, or with both.
2. Whoever, except in the case provided for by sub-section (2) of Section 122, voluntarily causes grievous hurt by any means referred to in sub-section (1), shall be punished with imprisonment for life, or with imprisonment of either description for a term which shall not be less than one year but which may extend to ten years, and shall also be liable to fine.

Section 119 BNS 2023 (Voluntarily causing hurt or grievous hurt to extort property, or to constrain to an illegal act.)

1. Whoever voluntarily causes hurt for the purpose of extorting from the sufferer, or from any person interested in the sufferer, any property or valuable security, or of constraining the sufferer or any person interested in such sufferer to do anything

which is illegal or which may facilitate the commission of an offence, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

2. Whoever voluntarily causes grievous hurt for any purpose referred to in sub-section (1), shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Section 120 BNS 2023 (Voluntarily causing hurt or grievous hurt to extort confession, or to compel restoration of property.)

1. Whoever voluntarily causes hurt for the purpose of extorting from the sufferer or from any person interested in the sufferer, any confession or any information which may lead to the detection of an offence or misconduct, or for the purpose of constraining the sufferer or any person interested in the sufferer to restore or to cause the restoration of any property or valuable security or to satisfy any claim or demand, or to give information which may lead to the restoration of any property or valuable security, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.
2. Whoever voluntarily causes grievous hurt for any purpose referred to in sub-section (1), shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Section 121 BNS 2023 (Voluntarily causing hurt or grievous hurt to deter public servant from his duty.)

1. Whoever voluntarily causes hurt to any person being a public servant in the discharge of his duty as such public servant, or with intent to prevent or deter that person or any other public servant from discharging his duty as such public servant or in consequence of anything done or attempted to be done by that person in the lawful discharge of his duty as such public servant, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.
2. Whoever voluntarily causes grievous hurt to any person being a public servant in the discharge of his duty as such public servant, or with intent to prevent or deter that person or any other public servant from discharging his duty as such public servant or in consequence of anything done or attempted to be done by that person in the lawful discharge of his duty as such public servant, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to ten years, and shall also be liable to fine.

Section 122 BNS 2023 (Voluntarily causing hurt or grievous hurt on provocation.)

1. Whoever voluntarily causes hurt on grave and sudden provocation, if he neither intends nor knows himself to be likely to cause hurt to any person other than the person who gave the provocation, shall be punished with imprisonment of either description for a term which may extend to one month, or with fine which may extend to five thousand rupees, or with both.
2. Whoever voluntarily causes grievous hurt on grave and sudden provocation, if he neither intends nor knows himself to be likely to cause grievous hurt to any person other than the person who gave the provocation, shall be punished with

imprisonment of either description for a term which may extend to five years, or with fine which may extend to ten thousand rupees, or with both.

Section 123 BNS 2023 (Causing hurt by means of poison, etc., with intent to commit an offence.)

Whoever administers to or causes to be taken by any person any poison or any stupefying, intoxicating or unwholesome drug, or other thing with intent to cause hurt to such person, or with intent to commit or to facilitate the commission of an offence or knowing it to be likely that he will thereby cause hurt, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Section 124 BNS 2023 Voluntarily causing grievous hurt by use of acid, etc.

1. Whoever causes permanent or partial damage or deformity to, or burns or maims or disfigures or disables, any part or parts of the body of a person or causes grievous hurt by throwing acid on or by administering acid to that person, or by using any other means with the intention of causing or with the knowledge that he is likely to cause such injury or hurt or causes a person to be in a permanent vegetative state shall be punished with imprisonment of either description for a term which shall not be less than ten years but which may extend to imprisonment for life, and with fine:
 - ✦ Provided that such fine shall be just and reasonable to meet the medical expenses of the treatment of the victim
 - ✦ Provided further that any fine imposed under this sub-section shall be paid to the victim.
2. Whoever throws or attempts to throw acid on any person or attempts to administer acid to any person, or attempts to use any other means, with the intention of causing permanent or partial damage or deformity or burns or maiming or disfigurement or disability or grievous hurt to that person, shall be punished with imprisonment of either description for a term which shall not be less than five years but which may extend to seven years, and shall also be liable to fine.
 - ✦ Explanation 1: For the purposes of this section, “acid” includes any substance which has acidic or corrosive character or burning nature, that is capable of causing bodily injury leading to scars or disfigurement or temporary or permanent disability.
 - ✦ Explanation 2: For the purposes of this section, permanent or partial damage or deformity or permanent vegetative state shall not be required to be irreversible.

The following are the various types of injury cases that are reported in a hospital, nursing home, or clinics:

1. Road traffic accidents.
2. Assault by physical violence.
3. Domestic accidents.
4. Workplace accidents.
5. Burn injuries.
6. Chemical injuries.
7. Electrical injuries.
8. Lightning.

- ✦ Doctors posted in casualty or emergency departments should be efficient both in providing emergency treatment as well as legal formalities for such cases.
- ✦ Centres where such departments are not available, arrangements should be made to shift the patient to higher medical centres at the earliest after giving primary treatment.

Explanation and Interpretation of Terms/Points Mentioned in the Injury Report

Consent

- a. An informed consent should be taken in any medicolegal case.
- b. The language should be:

“I am willing to undergo medical examination for the various injuries present on my body. I have been explained the nature and consequences of such examination and that the findings may go against my favour.”

Identification marks:

- a. It should be two in number.
- b. Permanent marks preferably on the exposed parts of the body should be noted, such as mole, permanent scar, deformity, tattoos, etc.
- c. Exact position should be described with respect to some anatomical landmark on the body.

General Physical Examination

It includes recording of level of consciousness, pulse, BP, respiratory rate, temperature and other vitals.

Types of injury

1. Contusion/bruise

- a. A contusion is an extravasation of blood into the tissues, due to the rupture of blood vessels which may be veins, venules and arterioles.
- b. It is also called bruise.
- c. It is caused by hard and blunt object or weapon.



Fig 3.1a: Contusion over left foot



Fig 3.1b: Periorbital contusion (spectacle hematoma)

2. Abrasion

- a. Abrasion is a destruction of skin involving the superficial layers of the epidermis only and in some cases involve the dermal papilla.
- b. It is also caused by hard and blunt object.



Fig. 3.2a: Graze abrasion over front of chest and abdomen



Fig. 3.2b: Patterned abrasion over back

3. Laceration

- a. Laceration is a type of injury in which there is tearing of skin, mucus membranes, muscles or internal organs produced by application of blunt force to broad area of body.
- b. These injuries are caused by hard and blunt.



Fig. 3.3a: Lacerated wound over scalp (stretch laceration)



Fig. 3.3b: Lacerated wound over left forearm (avulsion type of laceration)

4. Stab wound



Fig. 3.4a: Multiple stab wounds over the chest and abdomen



Fig. 3.4b: Multiple stab wounds over the chest and abdomen

5. Incised wound

An incised wound is defined as a clean-cut wound in the tissues caused by sharp-edged weapon and when the weapon is drawn across the skin.



Fig. 3.5a: Incised wound present over the neck (homicidal injury)



Fig. 3.5b: Incised wound present over the neck (accidental injury)

6. Chop wound

- These are deep wounds caused by the sharp cutting edge of a heavy weapon like a hatchet, axe sword, etc.
- The dimensions of chop wound correspond to the cross section of penetrating blade.
- Margins are sharp and clean cut.
- Undermining in the direction of the chop is seen.



Fig. 3.6a: Chop wound over the neck



Fig. 3.6b: Chop wound over the scalp. Note the cut fracture of underlying skull bone

7. Firearm injury (Figs 3.7a and b)



Fig. 3.7a: Firearm wound over left side of chest



Fig. 3.7b: Firearm wound over left temporal region

8. Dry burn/scald/chemical burns/electrocution or Joule burns



Fig. 3.8a: Dry burns (flame burns) over the body showing pugilistic attitude



Fig. 3.8b: Electric wound (Joule burn over right palm)



Fig. 3.8c: Lightning injury (note the filigree burn/arborescent marks over left shoulder region)



Fig. 3.8d: Lightning injury (note the filigree burn/arborescent marks over left region)



Fig. 3.8e: Antemortem burn showing demarcation between burnt (black) and unburnt (reddish) area



Fig. 3.8f: Postmortem burn. No reddish discoloration under the burnt area of hand

Dimensions

- Length $\times$ breadth in superficial injuries, such as bruise and abrasion.
- Length $\times$ breadth $\times$ depth in deep injuries, such as laceration, stab, firearm wound
- The measurements should be done using a measuring tape or scale. Unit of measurement should be in cm.
- Depth of an injury should be mentioned as either skin deep, muscle deep, bone deep or cavity and should never be probed into any cavity in a living person as it might create a false tract or injure blood vessel with fatal outcome.

Site/Location

Exact location of injury on the body should be with reference to some anatomical landmark such as—abrasion 4×5 cm over front of forearm, 3 cm above wrist joint and 6 cm below elbow joint.

Weapon Used

Type of weapon used can be ascertained by close examination of the entry and exit wound (if present) preferably using a magnifying glass in deep injuries and naked eye examination in superficial injuries.

Weapon can be either

- Sharp edged (single/double edged)
- Blunt weapon
- Firearm weapon.

Age of the Injury

Approximate age of the injury depending upon the color changes if it is a bruise and healing process in case of abrasions, laceration, incised wound and burns.

Remarks

Any other added information not included in the above headings. Such as whether there is any active bleeding, stitched wound, foreign materials if any present in the wound, smell of alcohol or any intoxicant.

Samples Preserved

Depending upon the case it could be foreign material present on the injured part such as bullet, pellets, broken knife blades.

Investigations asked for:

X-ray in cases of suspected fracture of underlying bone, blood and urine for level alcohol or any intoxicant.

Opinion

“After examining the various injuries present on the body of the subject I am of the opinion that”:

- a. Injury no/s... is/are simple or grievous in nature caused by a blunt weapon.
- b. Injury no/s.....is/are simple or grievous in nature caused by a sharp edged/firearm weapon/ burns

✦ Depending upon the severity, whether or not the injury/injuries is/are sufficient to cause death in ordinary course of nature should also be mentioned.

✦ When investigation report is pending, the opinion should be written as:

Opinion will be given after receiving the report of the investigation when such report is not immediately available. Like in cases of suspected fracture of a bone underlying a bruise.