MURDER IN TAMIL NADU
(A Study of Murder Trials of 1968)

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SUMMARY

The murder trials of 1968 in Tamil Nadu totalling 526 are studied and assessed on the pattern of the U. K. Home Office study. The results showed that there were six psychotic murderers, 16 murderers who attempted suicide, 483 'normal' male murderers, 20 female murderers and 6 youthful murderers. Age, sex, method of killing and motives of the murderers are discussed. The implications of the study with reference to the penal institutions and prevention of crime are dealt with.

The study of murder has attracted the attention of various investigators such as lawyers, jurists, criminologists, sociologists, psychiatrists. Gillies (1976) in his study of 'Homicide in the West of Scotland' refers to numerous studies of recent times. Murder is a manifestation of aggression. In terms of prevalence of homicide in various parts of the world it may be seen that the rate per million of the population varies from 8.7 to 45.0. A number of variables must account for differences between different geographical areas.

| State or country | Year | Per million of the population |
|------------------|------|-----------------------------|
| Tamil Nadu       | 1968 | 21.5                        |
| India            | 1965 | 25.0                        |
| Hongkong         | 1961-71 | 15.7                   |
| Ceylon           | 1960 | 35.0                        |
| U.S.A.           | 1980 | 45.0                        |
| England & Wales  | 1968 | 8.7                         |

The Indian Scene:

Studies of murder in India are few. Venugopala Rao (1968) studied 53 murders committed in Delhi. Varma and Jha (1966) have studied the mentally abnormal murderers of Ranchi, Bihar. The present author has studied specified groups of murderers of Tamil Nadu like psychotic murderers, wife murderers and child murderers (Somasundaram, 1960, 1970 and 1973).

Before we consider the study of murder in one particular year in a particular geographical area, some points about the murder statistics should be borne in mind. This could be seen with reference to the murder trials of Tamil Nadu during the year 1966 to 1970. (See Table II).

The first line represents the number of murders known to police. In a proportion of murders, the suspect commits suicide and this group is classified as suicide-murders by Gibson and Klein (1961, 1969). This category of murderer is not reported separately and was not identified from the given figures. In a fraction of the total the culprits could not be booked but this again is not mentioned in the figures. The death of a suspect of a murder during trial similarly reduces the number of convictions for murder. The number of suspects charge-sheeted are given in line (2) and the number convicted of murder in line (3).
TABLE II—Murder trials of Tamil Nadu
(Quinquennium 1966-1970)

| Year | 1966 | 1967 | 1968 | 1969 | 1970 |
|------|------|------|------|------|------|
| Cases reported | 758 | 740 | 793 | 814 | 890 |
| Culpable homicide | (12) | (16) | (14) | (37) | (21) |
| Persons charged | 1406 | 1711 | 1270 | 1550 | 874 |
| Culpable homicide | (6) | (26) | (11) | (30) | (19) |
| Persons convicted | 653 | 573 | 616 | 703 | 682 |
| Culpable homicide | (3) | (9) | (4) | (17) | (8) |
| Percentage of murder | 1.12 | 1.09 | 1.13 | 1.18 | 1.40 |

Figures in bracket denote culpable homicide.

MATERIAL AND METHOD

The judgement copies of the completed murder trials were obtained from the Sessions Courts of all the district headquarters in Tamil Nadu, including Madras City for the year 1968. The Inspector General of Police, Tamil Nadu was kind enough to procure them. The judgement copies of the appeals heard at the High Court at Madras were placed at our disposal by the Courtesy of the Registrar. In some cases, the lower courts' decisions were reversed or modified. The findings were taken into consideration to exclude non-murder trials. Similarly, the findings of the High Court in death sentences were evaluated. In 1968, 793 murders were brought to notice of the police; 1270 were charged for murder and 616 were convicted for murder. We could not lay our hands on 90 of the trials. We were able to analyse the particulars of 526 murders, accounting for 87% of all the murderers in 1968. The particulars regarding the classification of murders given by Gibsen and Klein (1969) are followed. They identify 'Normal Murder' and 'Abnormal Murder'. The term 'Normal Murder' has been used to describe all offences finally recorded as murder in which the suspect has not committed suicide or found to be insane. For our purposes, as statistics of murder-suicide are not available, the term 'Normal Murder' is used in which the offender has not attempted suicide after the murder.

Abnormal murder is one in which the offender is insane in the medico-legal sense i.e. Section 84 I.P.C. or in which the offender attempts suicide after killing the victim.

The other factors studied included age of the offender, sex, relationship of the victim to the offender, the method of killing and the apparent motive for the murder.

The female murderers and the youthful offenders (below 18 years) were separately studied.

RESULTS

The results are given below in Table III:

| Table III—Murders of 1968 |
|---------------------------|
| Number                     | 526 |
| Men                        | 500 |
| Women                      | 20  |
| Youthful offender below 18 yrs (boys) | 6  |
years form about 61%. This is in conformity with the English figures from 1947 to 1971 which ranges from 54 to 81% (Gibson, 1975).

TABLE VII—Normal adult male murderers (N=483)

1. Victims:
   - Men: 319
   - Women: 119
   - Children: 45

2. Relationship to the offender:
   - Men (319):
     - Wife’s paramour: 10
     - Father: 4
     - Brother: 10
     - Wife’s brother: 21
     - Other relatives: 52
     - Neighbours: 46
     - Friends: 41
     - Co-workers: 21
     - Strangers: 114
   - Women (119):
     - Wife: 71
     - Concubine: 46
     - Children (45):
       - Son: 23
       - Daughter: 20
       - Neighbour’s child: 1
       - Stranger: 1

3. Mode of killing:
   - Stabbing and cutting: 236
   - Poisoning: 25
   - Drowning: 18
   - Strangulation: 12
   - Shooting: 5
   - Others: 87

4. Motive:
   - Jealousy and suspicion: 113
   - In furtherance of gain: 56
   - Land dispute: 60
   - Village faction: 49
   - Quarrel and revenge: 123
   - Others: 108
   - Alcoholism: 16

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TABLE IV—Age distribution

| Age Group          | Number |
|--------------------|--------|
| Below 18 years     | 6      |
| 19—29 years        | 179    |
| 30—33 years        | 126/10 *|
| 40—49 years        | 82/9 * |
| 50—59 years        | 38/1 * |
| 60 years and above | 15     |

* denotes women

TABLE V—Psychotic Murders (6) men

1. Diagnosis:
   - Schizophrenia (Testimony by psychiatrists): 4
   - 'Unsound mind' (testified by village munsif): 1
   - Epilepsy (presumption by judge): 1

2. Victims:
   - Wife: 1
   - Brothers: 2
   - Mothers: 2
   - Strangers: 2

3. Age distribution:
   Age distribution of the murderers is shown in the Table IV. Offenders below 40 years form about 61%.
Sex:

Women are less likely to commit murder than men and if they do kill, it is more likely to be a result of mental disturbance. In the Home Office study of Gibson (vide supra) out of 728 murders only 10 were committed by normal women. In our study, there are 20 females out of the total of 526 murderers. (In this connection, it should be mentioned that there is no separate charge of infanticide in our country and it is charged as murder, unlike the practice of the British Courts).

**TABLE VIII—Female murderers (N=20)**

| 1. Victims:         |   |
|---------------------|---|
| Husbands            | 4 |
| Paramours           | 3 |
| Co-wife             | 1 |
| Children            | 6 |
| Other relatives     | 3 |
| Neighbours          | 2 |

| 2. Motive:          |   |
|---------------------|---|
| Sexual Jealousy     | 8 |
| Depression          | 6 |
| Enemity             | 3 |
| Gain                | 2 |

**TABLE IX—Youthful offenders (N=6 males)**

| 1. Age   | 17 years |
|----------|----------|
| 2. Victims: |
| Wife     | 3        |
| Brother  | 1        |
| Strangers| 2        |
| 3. Motive: |
| Sexual jealousy | 3 |
| Resentment   | 1        |
| Gain         | 2        |

**TABLE X—Disposal**

| Disposal          |   |
|-------------------|---|
| Death sentence    | 30|
| Life Imprisonment | 295|

Method of killing:

In our material, it was ascertained in 400 cases; stabbing and cutting with sharp instruments accounted for 60%, poisoning accounted for 8.5%, drowning 5%, strangulation 3% and shooting in 21.2%. In the British study of Gibson stabbing and cutting with knives accounted for more deaths than any other method. It was used in half of the insane murders and in a third of the normal murders. Asphyxiation accounted for a quarter of the cases and shooting the rest.

Motives:

East (1949) stresses that crime is often due to motives which are both qualitatively and quantitatively similar to non-criminal motives and is generally just as biologically normal as ordinary behaviour.

Sexual jealousy and suspicion about the fidelity of the spouse accounted for 130 out of 500 cases. (26%).

The importance of sexual jealousy either normal or abnormal and morbid was discussed in an earlier paper of the author (Somasundaram, 1973). Both normal and Psychotic murders were influenced by this motive and the present study only confirms these views by this study of a much larger scale.

Rage and quarrel accounted for nearly a quarter of the cases. (126 out of 500 cases). These murders are usually unpreameditated and preceded by trifles. These cases could be considered as ‘transient deviation of the normal man’ (East, 1949).

Village feuds and quarrel over property are other important motives for murder in our state as in other parts of the country, where a majority of the masses make out their living by cultivations. This should not surprise us. These motives accounted for 105 out of 483 murders. Village feuds involve two groups of people where not only property rights are involved but re-
religious, sectarian and political differences are additional sensitive areas. In many of these instances these differences are long standing and extend to more than one generation.

Motive of gain accounts for sixty out of the 500 murders studied. In all parts of the world there is a steady rise of murders from this cause. Even in countries like the U. K. Netherland, etc. where murders are committed by depressed relatives or mentally abnormal persons and the victims are usually family members, murder for gain shows trends of a steady rise. The majority of the murders in the United States are usually for gain as pointed by Wolfgang (1958).

It must be admitted that acquaintiveness, aggressiveness and sexuality are often closely associated and it might not be possible to evaluate the relative importance of this instinct. Theft and burglary constitute a large proportion of the crimes committed but the majority of the offences do not end in personal violence. When these crimes are found out, thwarted or an effort made to resist or apprehend the criminal, some of the thieves or burglars do not hesitate to kill. Sometimes the robberies are planned and conspiracies hatched between hardened criminals. Persons with psychopathic characteristics and previous convictions are likely to be over represented in this group. There was not a single case of rape followed by murder. This finding strengthens the impression that sexual deviations and sexual crimes are not so common in our Indian material. It is quite possible that the sexual aspect of the crime is not given prominence and the crime reported only as murder.

**Psychotic murders:**

Now attention can be directed to the psychotic murders. They form only a small proportion of the total cases—6 cases out of a total of 526 cases, i.e. just a little less than 1%. The corresponding figures for Scotland are 11% (Gillies, 1976). 7% for Hong Kong (Wang and Singer, 1973). The comparable Indian study is that of Venugopala Rao (1968) which gives a figure of 2%. Some of the reasons for the discrepancy are mentioned in an earlier study and need not be mentioned (Somasundaram, 1960, 1970) 4 cases are reported as Schizophrenia and the crime details are similar to that reported by the author, when considering the crimes of persons with schizophrenia. (Somasundaram, 1974). One case is said to be suffering from epilepsy and the reader is referred to the author’s paper on persons with epilepsy (Somasundaram, 1973).

Murder followed by attempted suicide occurred in 16 cases. The details may be discerned from the Table VI. All these murders resulted from domestic strife; 7 parents have killed their 9 children and 9 men had killed their wives or the beloved. Family murders have been discussed by the author in his earlier papers and his findings are reported in this larger study. (Somasundaram, 1970, 1973). The importance of the depressive mood of the killer, whether it is due to marital disharmony, desertion by the husband, poverty or engendered by real or imagined infidelity of the spouse plays the causative role in these murders and the reader is referred to the author’s paper (Somasundaram, 1977). As mentioned earlier the statistics of the murder followed by successful suicide are not obtainable from the police figures. Excluding this category from the insane murders of the Home Office, the other two categories, the psychotic murders and the murders followed by attempted suicide account for 22 (6 Psychotic and 16 suicidal failure) viz. 4%. This figure strongly contrasts with the figures of 39 given by the Home Office study. The reasons for this are not quite clear. The absence of the psychiatric examination of the suspects in our prisons must be one of the cardinal factors.
Normal murders:

When we turn our attention to this group we realise that it forms an overwhelmingly high proportion of the total murders—92%. The female murderers number 20 and form 4% of the total murderers reported here. It was already pointed out that women form a much higher portion of the Indian criminals. The characteristics of the female murderers are mentioned in the paper entitled 'The Mothers who kill their children' (Somasundaram, 1973) 6 mothers had killed their children, 4 women have killed their husbands, 3 had killed their paramours and one her co-wife.

Alcohol:

Alcoholism is mentioned specifically in 16 cases giving a percentage of 3. In the Scottish study alcohol is mentioned as an important factor in 40% of cases. The surprisingly low figure in our study is probably due to the unwillingness of the prosecution to mention drunkenness in the suspect, which fact might be used by the defence counsel to exonerate him. (Section 85, I.P.C. in our statute book) (Somasundaram, 1978).

Pattern of sentencing:

Death sentence was awarded in 30 cases and life imprisonment in 295 cases. Even though capital punishment is awarded by our courts, it must be mentioned that it is rarely executed. The death sentence is carried out only in very exceptional cases; there was only one judicial hanging during the decade 1961—1970 in the Madras Central Jail (Personal communication).

CONCLUSION

The implication of our study could be mentioned. Insane murders form only 4% of the total material.

Amongst the normal murders, relatives or acquaintances are victims in 75% of the cases and strangers in 25% of the cases. Annually not less than 300 persons are received in our penal system as life-convicts and they have to be looked after at the expense of state for periods ranging from 14 to 20 years. Most of them have killed their close relatives after misunderstanding lasting for short or long periods and many of them sincerely repent for their crimes. They are not likely to be dangerous to the public at large and could be easily managed in open jails, which are much less expensive than the closed prisons.

The murderers of strangers for gain are likely to need closer supervision in secure conditions.

The study also suggests some preventive measures. As, many of the crimes are domestic affairs, a resolution of misunderstanding between spouses or family rivalries could lessen the incidence of murders. Crimes of violence due to other reasons are more difficult to control. Any straightforward and simple solution is unlikely to be effective in the prevention, containment or control of violent conduct.

In our country where large number of crimes are due to village feuds due to land dispute, caste and communal considerations, strengthening of the Panchayat Raj will play a great role in reducing violence.

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