

MEDICO LEGAL ASPECTS OF INSANITY

The Indian penal code terms insanity as 'unsoundness of mind' Though every medical practitioner is expected to have fair knowledge about the unsoundness of mind, diagnosis and treatment of insanity is the domain of a specialist. It is necessary to have clear understanding of certain technical terms used in such cases.

Delirium is a disturbance of consciousness. In such a state, incoherence of speech, distortion in thinking process, hallucinations are common.

Delusions occur due to false beliefs, wrong judgements resulting in illogical arguments. Though delusions may not be strictly called signs of insanity they reflect mental disorganisation. Due to the defect of delusions, a person is liable to commit criminal acts. ••

Hypochondriasis is a state in which a person is extremely sensitive to the happenings of his daily life accompanied by uncalled for anxieties.

Hallucinations are imaginary acts without any basis. Hallucinations are caused by the addiction to certain drugs. The persons suffering from hallucinations may commit suicide and homicide.

Illusions are purely imaginary perceptions by false interpretation . The disease is normally associated with people having emotional stress and brain diseases.

Impulse is a sudden uncontrolled desire to do an act without rhyme or reason. Those who are affected by impulse resort to sexual, suicidal and homicidal acts. Some may have impulse to steal things and some have destructive mind i.e. uncontrollable desire to destroy or set fire to objects they come across.

Obsession is an anxiety reaction arising out of doubtful mind. Though the patient knows that an act has been accomplished, persistent thoughts disturb him resulting in mental tension. The person always feels he has forgotten to do something and repeats the act over and over again. Every normal human being may suffer from mild obsession but in some people it is acute and takes the form of a mental disorder resulting in total crippling of the patient.

Twilight states indicates aggressive behaviour and suffer from vivid hallucinations. It is experienced by persons suffering from injuries, excessive drunkards, in patients of epilepsy and rarely in the case of hysterics.

There are several factors which are responsible for mental disorder viz., hereditary factors, various diseases, psychological factors, age, sex and incompatible marriages, widowhood etc.

Some of the common diseases which are under the purview of 'unsoundness of mind' are schizophrenia, neurosis, personality disorders and affective disorders.

Schizophrenia is characterised by withdrawal symptoms, feeling strange to any external influence, devious thinking leading to incoherent speech at times, depression or elation, paranoid tendencies, delusions, hallucinations and feeling of self deterioration.

Neurosis is a group of personality disturbances caused by daily happenings in one's life. The patient suffers from choking, insomnia, palpitation, headache, chest pain etc. due to real or imaginary danger. The patient cannot withstand sound, tantrums from children, wife and other relatives. Hysterical symptoms can be seen in young females and in the old people. Some people under this category suffer from phobic neurosis, i.e. they are afraid of certain situations viz. seeing dead bodies, living in darkness, hearing excessive sound afraid of being poisoned etc. The disease is quite crippling as it interferes with the daily life of a patient. Many patients are known to become addicts to alcohol or drugs to gain confidence.

Personality disorders are those which show deviant behaviour or abnormal behaviour as compared to normal human being. Those suffering from personality disorders have no normal feelings of love, affection, sympathy, adjustment etc. as is found in the other persons. They are normally anti-social and do not repent for acts of omission and commission. Some people suffering from personality disorders are also associated with sex perversion and may indulge in theft, fraud, forgery and violence. They have scant regard for discipline and honour.

Affective disorders denote emotional feelings or being moody. The patients are moody without any apparent cause and show anxiety. The patients have difficulty in having sufficient sleep, wake in the early hours. Sometimes they may be in high talkative mood and emotional and other times show depression. In the young people, excitement, emotion, impatience are commonly observed. In the women between 40- 55 years, nearing menopause, depressive symptoms are seen. They suffer from insomnia and paranoid tendencies.

There are certain cases where persons pretend to be insane for certain personal gains, such as a criminal pretends insanity to escape a death sentence or prolonged imprisonment, soldiers and other uniformed persons to leave the service, businessman to avoid inconvenient transactions etc. The correct diagnosis of insanity is the responsibility of the medical officers. An individual can be kept under observation of a specialist with an authorisation from a magistrate for a period of 10 days, if required it may be extended upto 30 days (Section 16, Lunacy Act, 1912) to decide whether a person is really lunatic or not.

When a person is found to be insane and is not capable of managing his own affairs, including property or business, he comes under the protection of the court. The court in such cases appoint a manager or receiver to look into affairs. The court may declare a marriage null and void if one of the parties, at the time of marriage is of unsound mental health. No person with insufficient mental health is allowed to execute a will.

Apart from the judiciary and the medical officers, the investigating officers also should have basic knowledge about the persons suffering from mental disorders, as they are prone to commit certain criminal acts.